



COVERSHEET

Minister	Hon Stuart Nash	Portfolio	Tourism
Title of Cabinet paper	Release of Discussion Document: Supporting Sustainable Freedom Camping in Aotearoa New Zealand	Date to be published	9 April 2021

List of documents that have been proactively released		
Date	Title	Author
March 2021	Release of Discussion Document: Supporting Sustainable Freedom Camping in Aotearoa New Zealand	Office of the Minister of Tourism
24 March 2021	Cabinet Economic Development Committee Minute of Decision: Release of Discussion Document: Supporting Sustainable Freedom Camping in Aotearoa New Zealand DEV-21-MIN-0054	Cabinet Office

Information redacted

NO

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In Confidence

Office of the Minister of Tourism

Cabinet Economic Development Committee

Release of Discussion Document: Supporting Sustainable Freedom Camping in Aotearoa New Zealand

Proposal

- 1 This paper seeks agreement to release for public consultation the attached discussion document, *Supporting Sustainable Freedom Camping in Aotearoa New Zealand*. The discussion document sets out four proposals to support sustainable freedom camping in New Zealand, in line with the Government's direction for tourism.

Relation to government priorities

- 2 The discussion document outlines proposals to address some of the negative environmental and community impacts of freedom camping. Improving the freedom camping system relates to the Government's priorities as set out in the Speech from the Throne to support our tourism sector in its transition to a sustainable, low carbon, high skill and high wage industry. It also aligns with the Government's direction for tourism – in particular, rebuilding tourism on a sustainable model, mitigating the negative impacts associated with tourism, and elevating Brand New Zealand.

Executive summary

- 3 Tourism is successful when the social licence granted by communities is adhered to and respected. Freedom camping is a valuable part of our tourism offering – for both New Zealanders and international visitors – with international visitors who freedom camped at some point during their trip spending an estimated \$645 million in New Zealand in 2019.
- 4 Conversely, when the social licence is disrespected and disregarded, the tolerance of communities for tourism disappears. This has happened in a number of communities due to the behaviour of a subset of the freedom camping tourism sector, and predominantly those who travel in vehicles with a sleeping platform without (or with substandard) toilet facilities.
- 5 Despite Government support for the management of freedom camping, including providing \$27 million in funding between 2017 and 2020, concerns remain. The Parliamentary Commissioner for the Environment (PCE), in his recent report *Not 100% - but four steps closer to sustainable tourism*, notes that Government efforts to address poor behaviours from freedom campers, in particular the use of natural surroundings as a toilet or a place to clean dishes and clothes, "have not resolved the issue".

- 6 I consider that now is the time for system change in freedom camping, to align with the Government's direction for tourism. As we begin to reopen New Zealand to the world, we need to make sure that we build back better. We have an opportunity to rebuild tourism on a sustainable model and to ensure New Zealand is seen as one of the most aspirational global travel destinations.. We cannot have a tourism offering that undermines local communities' enjoyment of the natural environment; the negative impacts associated with tourism must be mitigated.
- 7 I propose publicly consulting on four proposals to promote sustainable freedom camping in New Zealand:
 - 7.1 Make it mandatory for freedom camping in a vehicle to be done in a certified self-contained vehicle¹; or
 - 7.2 make it mandatory for freedom campers to stay in a vehicle that is certified self-contained, unless they are staying at a site with toilet facilities (excluding public conservation lands and regional parks); and
 - 7.3 improve the regulatory tools for government land managers; and
 - 7.4 strengthen the requirements for self-contained vehicles.
- 8 I consider that a package based on a combination of these proposals is the best way forward.

Background

- 9 The Government has agreed a direction for tourism, which has been hit harder and longer by COVID-19 than most industries, based on the following four principles [DEV-MIN-21-0025 refers].
 - 9.1 elevate Brand New Zealand so that New Zealand is seen as one of the most aspirational global travel destinations;
 - 9.2 the government has an opportunity to re-set and rebuild tourism on a sustainable model and the industry should not return to 'business as usual';
 - 9.3 the costs and negative impacts associated with tourism must be mitigated or prices into the visitor experience, and not funded by New Zealand ratepayers and taxpayers; and
 - 9.4 government partnering with the industry, both businesses and workers, is essential to achieve this transformation.
- 10 Freedom camping is an important part of both domestic and international tourism. Freedom campers spend money in our communities, and some contribute in other ways, such as participating in the seasonal workforce and volunteering.

¹ Self-containment of a vehicle means that it has a water supply, a toilet and waste tanks large enough to support the people on board for several days (the voluntary standard specifies three days).

- 11 Freedom camping is regulated under the Freedom Camping Act 2011 (the Act). The Act was introduced ahead of the 2011 Rugby World Cup to enable better management of freedom camping, through local freedom camping bylaws and notices, and to support responsible camper behaviour, while ensuring there was sufficient accommodation supply for the increasing number of visitors.
- 12 The Act defines freedom camping as camping (other than at a camping ground) within 200 m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, and using a tent or temporary structure, caravan, car, campervan, house truck, and/or other motor vehicle. The Act is permissive – freedom camping is allowed except where bylaws and notices have restricted or prohibited it.
- 13 In 2018 my predecessor, Hon Kelvin Davis, established the Responsible Camping Working Group (the Working Group) to identify ways to better manage the freedom camping system. The Working Group consists of industry, local and central government leaders. It identified that:
- 13.1 growing numbers of freedom campers were placing pressure on infrastructure and spaces;
 - 13.2 there was a lack of national consistency in responsible camping rules;
 - 13.3 the compliance regime must present an effective deterrent to poor unwanted behaviour; and
 - 13.4 improvements are needed to the administration of NZS 5465:2001 *Self containment of motor caravans and caravans*, a voluntary New Zealand Standard, which is more commonly known as the Self-Contained Vehicle Standard (SCVS).²
- 14 Over the last three years, the Government has provided around \$27 million in funding for a range of programmes to better manage freedom camping through both the Tourism Infrastructure Fund (17 TAs received funding) and Responsible Camping Fund (51 TAs received funding). This includes funding for infrastructure, monitoring and enforcement, education activities, and waste and rubbish management.
- 15 This investment reduced the incidence of poor behaviour from freedom campers – with many councils reporting a decrease in the number of infringements issued and negative correspondence received from ratepayers.
- 16 However, despite the investment and improvement over the last three years, there are ongoing issues. With our borders closed to international visitors, now is the time to address the outstanding regulatory challenges for freedom camping.

² Further information on the SCVS can be found on pages 25 and 26 of the discussion document.

- 17 The PCE's recent report *Not 100% - but four steps closer to sustainable tourism* notes that government efforts to address freedom camping issues have "focused heavily on the provision of freedom camping facilities and education campaigns" and that "those efforts have not resolved the issue". The PCE also considers the SCVS needs strengthening to require toilets to be permanently plumbed, and that the penalty regime needs to be changed to ensure it represents a serious deterrent to undesirable camping behaviour.

Need for change

Vehicle-based freedom camping is an issue

- 18 Research published by MBIE in 2020 showed that 26 per cent of international visitors who hired a budget vehicle,³ or who purchased a vehicle for freedom camping, did not have a vehicle with a toilet on board. Of more concern, of the 74 percent of campers who did have a toilet in the vehicle they had purchased or budget vehicle they had hired, only 28 per cent reported using it.
- 19 This is a significant contrast with those international visitors who hired premium vehicles. All premium vehicles hired by international visitors had toilets on board, and of these, three-quarters of visitors reported using them.
- 20 I am also aware that not all New Zealanders have been camping responsibly. Despite the absence of international visitors during the 2020/21 summer season, initial feedback from industry and local government representatives suggests that while overall infringements issued for bylaw breaches are down compared to last year, there are still issues related to freedom camping.
- 21 This is a problem when considering the volume of freedom campers. In the 2019 calendar year, 154,000 international visitors and 91,000 New Zealanders freedom camped.

There are issues with the current regulatory regime

- 22 The Working Group has advised that the current regulatory environment for supporting the management of vehicle-based freedom camping is insufficient. In particular, it has identified that:
- 22.1 The current infringement regime is inadequate. The current fine for any breach of a freedom camping bylaw, including inappropriately camping in a restricted or prohibited area, is \$200. Rental companies are also not required to pass on infringements to campers. This can mean that enforcement costs can be greater than the cost of offending.
- 22.2 There is no agency providing national oversight of how the SCVS is administered. This increases the risk that the Standard is inconsistently or inappropriately applied.

³ 'Budget' vehicles used for freedom camping include station wagons, people movers and vans. They can include a sleeping platform, portable toilets and portable cooking facilities. Premium vehicles are always certified self-contained, have enough fresh- and waste-water capacity for three days, often have fixed toilets and have cooking facilities.

22.3 There is no national register of self-contained vehicles in New Zealand. This means it can be difficult for individuals, businesses and territorial authorities to determine if a vehicle is legitimately certified or not.

23 These views align with those expressed by the PCE.

Risks to the environment and New Zealand's brand

24 Quite simply, we do not want the type of tourist in our country who disobeys the rules and disrespects the environment.

25 Placing the management costs of inadequately controlled freedom camping on communities is not fair. Communities know this – and it has implications for visitors' camping experience in New Zealand. This is particularly important when considering that the number of international visitors was increasing prior to COVID-19, including the number of international visitors who freedom camp.

26 The cumulative effect of these issues has a range of consequences. It means that there can be greater costs to TAs to manage the visitors in their regions, including facility maintenance, and litter and waste management. These issues also put New Zealand's brand proposition at risk. It decreases the social licence for tourism in communities, and can mean that visitors (both domestic and international) do not have a high-quality visitor experience.

27 Finally, unmanaged waste creates localised pollution, affecting both local flora and fauna, and perceptions of our environmental stewardship.

Options for public consultation

28 I propose to release for public consultation the attached discussion document *Supporting Sustainable Freedom Camping in Aotearoa New Zealand*. The discussion document seeks public feedback on four proposals to support more sustainable freedom camping in New Zealand.

29 I want New Zealand communities to continue to benefit from the valuable economic contribution freedom campers make as they travel across our regions, while also supporting communities' control of how freedom camping occurs in their cities and districts. It is important to me that New Zealanders and international visitors can continue to access a range of camping experiences – but this must not come at the expense of communities or the environment. We must improve the social licence for freedom camping to realise the positive economic and social impact from tourism, and protect the value of Brand New Zealand.

30 To achieve this, New Zealand needs a regulatory system that ensures communities can have confidence in the measures available, both regulatory and non-regulatory, for managing freedom camping. We need a system that supports campers to be responsible and which the community trusts. I believe that requires us to legislate a national-level expectation about freedom campers using self-contained vehicles, which have been certified as meeting

a legislated standard within a regulatory framework that records and monitors that certification process.

- 31 The four proposals I want to consult on are:
- 31.1 Make it mandatory for freedom camping in a vehicle to be done in a certified self-contained vehicle.
 - 31.2 Make it mandatory for freedom campers to stay in a vehicle that is certified self-contained, unless they are staying at a site with toilet facilities (excluding public conservation lands and regional parks).
 - 31.3 Improve the regulatory tools for government land managers. This would address some of the issues raised by the Responsible Camping Working Group and PCE (see paragraphs 18 and 19).
 - 31.4 Strengthen the requirements for self-contained vehicles. Some stakeholders, including the PCE, consider that portable toilets are inadequate and that a plumbed toilet should be required for a vehicle to be self-contained.

Expected outcomes

- 32 I consider that the most effective option to achieve the outcomes we want to achieve will be a package combining one of the first two proposals with the third and fourth proposals.
- 33 While the proposed changes may impact some New Zealanders and a few businesses that own vehicles used for freedom camping that are not currently certified self-contained, I consider it will address the majority of the issues facing communities and ratepayers as a result of vehicle-based camping, particularly when the border is reopened to international visitors.
- 34 The proposed changes would also support Government's broader vision for tourism [DEV-MIN-21-0025 refers], as it would elevate Brand New Zealand, strengthen the regulatory system for freedom camping so that it is more sustainable and ensure the costs of tourism are priced into the visitor experience.

Proposed process

- 35 I propose to undertake public consultation on the attached discussion document for four weeks between Monday 29 March 2021 and Monday 26 April 2021. While this short period may attract some criticism, I consider the shorter timeframe is warranted as there is already wide public understanding of freedom camping issues. I want to ensure that changes are quickly introduced before the return of the great majority of the international visitor market, including the Australian visitor market.
- 36 I will report back to Cabinet on the outcomes of the public consultation and seek policy decisions for proposed legislation in July 2021. I will engage with the Ministers of Local Government, Transport and Conservation to develop

the final policy proposals, as the proposals affect these Ministers' portfolio interests.

- 37 I have directed officials to work with the Department of Conservation (DOC) and Department of Internal Affairs in preparing policy advice, as both agencies are responsible for administering the Freedom Camping Act 2011.

Consultation feedback will inform policy decisions

- 38 I want to fully explore and consider the views of New Zealanders to ensure we find an enduring system to support New Zealand communities and the environment. I also anticipate feedback will help provide additional data to inform options analysis.

Implementation

- 39 To protect New Zealand's environment and support delivery of New Zealand's refreshed global brand proposition, I would like change to occur fast. It is my aim to have a new regime in place by 1 January 2022, subject to the Government's legislation programme. This will ensure that the issues of the past do not have an opportunity to repeat when the international visitor market returns. The table below sets out the proposed timeframe from public consultation through to introduction of a Bill to implement the changes:

Milestone/Activity	Timeframe
Discussion document released	29 March 2021
Public consultation period	29 March to 26 April 2021
Report back to Cabinet for policy decisions	July 2021
Draft Bill prepared by PCO	July to October 2021
Consideration of the Bill by Cabinet Legislation Committee	October 2021
Introduction of Bill to the House	November 2021

Financial implications

- 40 If Government proceeds with one or more proposals in the discussion document there will be financial implications. The extent of the costs, and whether any portion should be Crown funded, will depend on the detailed design of the regime.

New regulatory regime for self-containment of vehicles

- 41 Preliminary analysis of options for implementing this new regulatory regime suggests that expanding the regulatory functions of existing organisations would be most cost-effective and practical. This would entail:

- 41.1 The Plumbers, Gasfitters and Drainlayers Board (the PGDB), which already regulates the plumbing profession, being given additional responsibilities to promote and enforce adherence to the new regulatory requirements for self-containment of vehicles. Self-containment is primarily about the installation of appropriate sanitary plumbing fittings.
- 41.2 Modification of the Motor Vehicle Register maintained by Waka Kotahi New Zealand Transport Agency (WK) to enable records to be made that a vehicle has been certified as self-contained. The register would be accessed by freedom camping enforcement authorities (local authorities and the Department of Conservation) and the PGDB to enable them to ensure vehicles are appropriately certified.
- 42 Rough estimates indicate that establishment costs for this approach are in the order of approximately \$1.4 million capital expenditure for the Motor Vehicle Register changes and \$1.2 million operational expenditure. Operational expenditure to establish the regime assumes one-off costs for information and education for regulated parties and training of staff. If these establishment costs are to be funded by the Crown rather than cost-recovered, this will have Budget implications.
- 43 Ongoing annual operating costs, which would most likely be recovered from regulated parties, may be in the order of \$3 million. This expenditure would include the regulator's activities, and depreciation and capital charges for IT infrastructure. Cost recovery would occur through the charging of a fee for vehicle certification. Initial estimates suggest a fee of about \$125 per vehicle if 25,000 vehicles are certified each year, to be paid each time certification occurs (currently certification under the voluntary standard occurs every four years).
- 44 Following public consultation, more detailed work will be undertaken to design any new regulatory regime and robust costings will be developed.

Costs for local authorities and the Department of Conservation

- 45 I have directed my officials to engage with Local Government New Zealand, local government representatives and DOC to understand the costs to local government and DOC for implementing each of the proposals in the document.
- 46 Local authorities are able to undertake enforcement under the Freedom Camping Act 2011. Higher fines would enable local authorities to better offset their enforcement activities, although it is also expected that stronger penalties will act as a greater deterrent for inappropriate behaviour and breaches of freedom camping bylaws. The intended impact of the measures would also be reduced costs to local authorities for cleaning up waste and litter from freedom campers.

- 47 There will be cost implications for the Department of Conservation if it is required to increase its enforcement activity as it does not receive fines revenue.

Other costs to businesses and individuals

- 48 I am using the public consultation process as an opportunity to understand the other costs associated with the four proposals. These will likely include the cost to businesses and individuals to upgrade the vehicles they own that are used for freedom camping and are not certified self-contained. MBIE has advised it will cost around \$500 to \$800 to upgrade a vehicle to meet the minimum requirements of the Self-Contained Vehicle Standard. More stringent requirements, which I am also consulting on (proposal four), would impose higher costs.

Legislative implications

- 49 The release of the discussion document does not raise any legislative implications.
- 50 The Freedom Camping Act 2011 (the Act) could be amended to give effect to any of the proposals. Any such amendments to this Act would need to consider the role of local government, and sit alongside existing TA bylaws and DOC notices. I am also exploring what options are available to ensure any new regulatory system does not further disadvantage vulnerable population groups. New regulations could be issued under the existing provisions of the Freedom Camping Act 2011 to allow for higher fines (up to \$1000) for infringements.
- 51 Depending on the design of any new regulatory regime, consequential amendments may be required to the Plumbers, Gasfitters, and Drainlayers Act 2006.

Impact Analysis

Regulatory Impact Statement

- 52 The impact analysis requirements apply because the discussion document includes government regulatory proposals. Therefore a Regulatory Impact Statement is required and is attached to the Cabinet paper.
- 53 The Treasury has advised it is appropriate for quality assurance for this Impact Statement to be undertaken by a Ministry of Business, Innovation and Employment (MBIE) internal quality assurance panel.
- 54 The Ministry of Business, Innovation and Employment's (MBIE) Regulatory Impact Analysis Review Panel has reviewed the impact statement and assessed that the analysis presented partially meets the quality assurance criteria, on the basis that there are identified gaps in evidence, which are described in the Impact Statement, that need to be tested through public consultation. These gaps include the numbers of freedom camping vehicles,

likely behavioural impacts from mandatory standards and higher fines, expected impacts of cost-recovery on behavioural change, equity considerations associated with higher costs and further work on the proposed exclusion of homelessness.

Climate Implications of Policy Assessment

- 55 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to the proposals as the threshold for significance is not met. The CIPA team will work with MBIE to assess the emissions impacts of policy proposals as they are advanced – as appropriate – at a later date.

Population implications

- 56 MBIE advises that lower-income families may be impacted by the proposals, as they could reduce the options available to camp at low or no cost. This would be due to the costs associated with upgrading vehicles to be certified as self-contained, or paying for alternative accommodation.
- 57 The proposals may have an impact on people sleeping in vehicles on public land because they are homeless. While the Freedom Camping Act 2011 was never intended to apply to people sleeping in vehicles because they are homeless, the Act is unclear on this point. As such, I am also consulting on how any new regulatory requirements should ensure this vulnerable group is not further disadvantaged. Consideration will need to be given to ensuring this is done in a way which does not undermine the objectives of the reforms.

Human Rights

- 58 Some of the proposals in the discussion document may be inconsistent with the New Zealand Bill of Rights Act 1990 (BORA) and Human Rights Act 1993. This is because the policy proposal to *make it mandatory for vehicle-based freedom campers to use a certified self-contained vehicle* may present inconsistencies with Section (18) of BORA, which relate to Freedom of Movement.
- 59 I intend to use the public consultation process to help inform BORA vetting by asking members of the public to provide feedback on how they will be impacted by each of the proposals.

Consultation

- 60 I have consulted the Minister of Local Government, Minister of Transport and Minister of Conservation on the draft discussion document, as well as Ministers on the Cabinet Economic Development Committee.
- 61 Officials have consulted the Department of Internal Affairs, DOC, Kāinga Ora, Land Information New Zealand, Ministry of Housing and Urban Development (HUD), Ministry of Social Development (MSD), Ministry of Transport (MOT) and WK on the contents of this paper, and the attached discussion document

and Impact Statement. The Treasury and Department of Prime Minister and Cabinet have been informed.

- 62 The Chief Executive of the Plumbers, Gasfitters and Drainlayers Board has been consulted on the potential for the Board to take on the regulatory role for any legislated self-containment requirements for vehicles. The Chief Executive noted the existing role of the Board aligns with establishing regulatory oversight of sanitary plumbing in vehicles. Further detailed design, including establishment costs and cost recovery, is required if proposals progress.

Treasury comments

- 63 The Treasury notes that further, more detailed information is required in relation to the costings and financial implications for any new regulatory regime. The Treasury also notes that
- 63.1 The proposed timing of consultation may need to be considered further, especially as the tourism sector is currently distressed. The proposals risk slowing recovery of the industry by possibly deterring international and domestic tourism.
- 63.2 Clear evidence is not presented to suggest that Government's investment into supporting the management of freedom camping has not improved the behaviour of freedom campers.
- 63.3 The paper as a whole is focused on vehicles, and not behavioural issues. The proposals may not solve some of the other behavioural issues listed in the paper. For example, requiring freedom campers to use self-contained vehicles will not necessarily solve the issue of rubbish being illegally dumped.

Department of Conservation comments

- 64 DOC is concerned about the potential impacts on New Zealanders' access to nature and conservation lands of restricting the type of vehicle that freedom campers may use. DOC notes New Zealanders own and use vehicles that are not self-contained to stay on public conservation lands and at DOC campsites (which have toilet facilities). Prohibiting these vehicles or requiring them to be upgraded will unnecessarily limit some individuals' access to conservation lands.
- 65 DOC separately notes that some of the proposals presented in the discussion document may require enforcement action by DOC. Compliance issues, financial and resourcing implications will need to be considered further if any proposals are progressed.
- 66 DOC considers that the work to support positive behaviour change in freedom campers should also continue, for example supporting responsible camping ambassadors.

Ministry of Transport and Waka Kotahi comments

- 67 MOT and WK consider that the Plumbers, Gasfitters and Drainlayers Board would be the most appropriate entity to hold the regulatory function. Any proposal to provide a direct regulatory role for Waka Kotahi for certification of vehicles would not be supported. Waka Kotahi is primarily dedicated to the safety of vehicles and the land transport system. The current proposals in the discussion document would not fall within the Agency's regulatory functions.
- 68 MOT and WK note that amending any part of the Motor Vehicle Register is a lengthy and complicated process, and there is an existing work programme of essential changes. Both agencies are concerned about the timeline of having a new regime in place by 1 January 2022. WK is willing to support interim solutions and transitional arrangements when the regulatory design phase begins, in collaboration with MBIE.
- 69 MOT and WK consider that if vehicle confiscation is part of the proposed enforcement regime, further work is required on the appropriateness of broadening the conditions under which vehicles could be confiscated. This is because removing vehicles from the road in land transport legislation is currently reserved for serious breaches or traffic offending (such as driving while disqualified, failing to stop for police, participating in illegal street racing or repeated drunk driving offences).

Ministry of Social Development and Ministry of Housing and Urban Development Comments

- 70 MSD and HUD are concerned that some of the proposals do not align with a human rights based approach to housing. In particular, they are concerned about the possibility of introducing regulatory requirements that would restrict vulnerable people's ability to stay in vehicles and penalise them when they do not have shelter.
- 71 Both MSD and HUD consider that homelessness be excluded from the regulatory regime to manage freedom camping, or that discretion in relation to homelessness should be built in. They also recommend establishing a referral pathway with clear protocols to ensure that freedom camping enforcement officers can connect people who identify as experiencing homelessness to suitable housing and support services. MSD notes, however, that not all homeless people want to stay in emergency housing, and may prefer to stay in their vehicle.

Responsible Camping Working Group comments

- 72 My officials engaged the Responsible Camping Working Group (the Working Group) prior to the development of the draft discussion document. The Working Group agrees there is a need to strengthen the regulatory regime for self-contained vehicles and to increase freedom camping fines. However, the Working Group want to ensure that New Zealand continues to offer a range of camping experiences. The Working Group is concerned that too much focus could be made on the vehicle and not the problem behaviours exhibited by

freedom campers. The Working Group also considers that the requirements for self-contained vehicles should include fixed and portable toilets, as both are appropriate when used correctly.

Communications

- 73 I plan to announce the public consultation and publicise the discussion document through a press release on Monday 29 March 2021, with public submission closing four weeks later on Monday 26 April 2021.
- 74 As there is likely to be significant public interest in the proposal, MBIE will employ a range of methods to ensure all interested people have an opportunity to engage with the proposals. Methods will include:
- 74.1 online survey, mail and email submissions;
 - 74.2 public meetings at urban and regional centres around New Zealand; and
 - 74.3 targeted consultation with key stakeholders, in particular local government, industry and camping associations.

Proactive release

- 75 I intend to proactively release this Cabinet paper and associated minute at the same time the public consultation is launched. This will support improved public engagement and understanding of the proposals in the discussion document.

Recommendations

The Minister of Tourism recommends that Cabinet Economic Development Committee:

- 1 **note** that freedom camping is an important part of our tourism offering for both New Zealanders and international visitors, however the social licence granted by communities is being disrespected and disregarded by some freedom campers;
- 2 **note** that the Freedom Camping Act 2011 was introduced to support local authorities and the Department of Conservation to manage freedom camping on publicly owned land;
- 3 **note** that Government has provided substantial support to help manage freedom camping since 2017, including providing \$27 million to fund infrastructure, education activities, waste management and technology pilots;
- 4 **note** that despite the actions taken by Government, many members of the community remain concerned about the impact of freedom camping in their regions;

I N C O N F I D E N C E

- 5 **note** that people who freedom camp in vehicles that are not certified as self-contained are likely contributing to community concerns about the environmental impact and cost of managing freedom camping;
- 6 **note** that the attached discussion document sets out the following four proposals which could help address a substantial proportion of freedom camping issues:
 - 6.1 make it mandatory for freedom camping in a vehicle to be done in a certified self-contained vehicle;
 - 6.2 make it mandatory for freedom campers to stay in a vehicle that is certified self-contained, unless they are staying at a site with toilet facilities (excluding public conservation lands and regional parks);
 - 6.3 improve the regulatory tools for government land managers; and
 - 6.4 strengthen the requirements for self-contained vehicles;
- 7 **note** the costs of each of the proposals in the document are yet to be fully worked out, including implementation costs for local government and the Department of Conservation, and that costs will be explored further in consultation with the Department of Conservation, Department of Internal Affairs and local authorities;
- 8 **agree** to the public release of the attached discussion document entitled *Supporting Sustainable Freedom Camping in Aotearoa New Zealand*;
- 9 **agree** to a four-week public consultation period on the attached discussion document;
- 10 **invite** the Minister of Tourism to report back, in consultation with the Minister of Local Government, Minister of Transport and Minister of Conservation, to the Cabinet Economic Development Committee in July 2021 with the outcomes of the consultation and final policy proposals;
- 11 **note** that the Ministry of Business, Innovation and Employment will publish a copy of this Cabinet paper, the Cabinet Committee minute, the discussion document and Impact Statement on its website.

Authorised for lodgement

Hon Stuart Nash

Minister of Tourism

Appendices

Appendix one: Supporting Sustainable Freedom Camping in Aotearoa New Zealand

Appendix two: Impact Statement