



BRIEFING

Supporting effective council engagement with the freedom camping proposals

Date:	22 April 2021	Priority:	Medium
Security classification:	In Confidence	Tracking number:	2021-3329

Action sought		
	Action sought	Deadline
Hon Stuart Nash Minister of Tourism	<p>Note that several local authorities have council meetings that fall after the public consultation on freedom camping closes.</p> <p>Agree that local authorities who request an extension to the consultation period can receive an extension up to Monday 31 May.</p>	3 May 2021

Contact for telephone discussion (if required)				
Name	Position	Telephone		1st contact
Danielle McKenzie	Manager, Tourism Policy	04 896 5113	Privacy of natural persons	✓
Fraser Pearce	Senior Advisor, Tourism Policy	04 897 5174	Privacy of natural persons	

The following departments/agencies have been consulted					
<input type="checkbox"/> Treasury	<input type="checkbox"/> MoJ	<input type="checkbox"/> NZTE	<input type="checkbox"/> MSD	<input type="checkbox"/> TEC	<input type="checkbox"/> MoE
<input type="checkbox"/> MFAT	<input type="checkbox"/> MPI	<input type="checkbox"/> MfE	<input type="checkbox"/> DIA	<input type="checkbox"/> TPK	<input type="checkbox"/> MoH
<input type="checkbox"/> Other:					

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments:



BRIEFING

Supporting effective council engagement with the freedom camping proposals

Date:	22 April 2021	Priority:	Medium
Security classification:	In Confidence	Tracking number:	2021-3329

Purpose

To seek your agreement to allow late submissions from local authorities whose council meetings fall after the public consultation on freedom camping closes.

Recommended action

The Ministry of Business, Innovation and Employment (MBIE) recommends that you:

- a **Note** that Cabinet Economic Development Committee agreed to a five week public consultation period on your freedom camping proposals, and that this consultation period is from Friday April 9 to Sunday May 16 2021
Noted
- b **Note** that several local authorities have requested that they be allowed to provide late submissions on the freedom camping proposals, as their elected representatives' next meeting when the council's submission could be discussed and agreed comes after the public consultation has closed
Noted
- c **Note** that, for the consultation on the proposals to be sufficiently robust, feedback is needed from as many local authorities as possible as they are responsible for managing freedom camping on land they control in their cities, districts and regions
Noted
- d **Note** that timelines for providing you with a summary of submissions and advice about the proposals would not be impacted if a small number of local authorities provide late submissions
Noted
- e **Agree** that local authorities can, if they make a request to MBIE, provide a late submission on the proposals up to Monday 31 May 2021.
Agree / Disagree

Danielle McKenzie,
Manager Tourism Policy, Tourism Branch
Labour, Science and Enterprise, MBIE
22/4/2021

Hon Stuart Nash
Minister of Tourism

..... / /

Background

1. On Wednesday 24 March 2021, Cabinet Economic Development Committee (DEV) agreed to a five week consultation period on your freedom camping proposals set out in the discussion document *Sustainable Freedom Camping in Aotearoa New Zealand* (DEV-21-MIN-0054 refers).
2. DEV also noted that the question of implementation costs for local government would be explored further in consultation with local authorities and the Department of Internal Affairs.
3. On 9 April 2021, you publicly announced the freedom camping proposals. Submissions are due by 11.55 pm on Sunday 16 May 2021.


Several councils have requested an extension to this deadline

4. During the first week of the public consultation period, we received written feedback from Dunedin City Council, and verbal feedback from the three district councils in Northland, that their next council meeting when the council's submission could be considered and agreed comes after the public consultation has closed. All of these councils indicated that their elected members' meetings are held once every six weeks.
5. Auckland Council has also given written feedback that meeting the submission deadline of 16 May will be difficult due to their preference to schedule a full Council meeting to agree the submission.
6. All these councils have requested an extension until the end of May to provide their submission.

We recommend allowing local authorities to provide late submissions

7. We recommend allowing an extra two weeks and one day, until Monday 31 May, for local authorities to provide a submission, if they request an extension. This would extend the time available for local authorities to prepare, and for the council to agree, the submission to seven and a half weeks.
8. Allowing a short extension would support your decision-making process and your engagement with the Minister of Local Government on the final policy proposals to present to Cabinet.
9. Receiving high quality feedback from as many local authorities as possible is important to ensure that you have robust information about how the proposals will work on the ground and the implementation costs for councils.
10. Councils are responsible for managing freedom camping on land they control in their cities and districts, and enforce the Freedom Camping Act 2011. They have the most detailed information about freedom camping problems in their cities and districts, and have practical experience of what regulatory tools have and have not worked, as well as what tools are needed.

Implications of allowing late submissions

11. Legal professional privilege

12. We also recommend only applying the extension to those local authorities that request it. We anticipate that councils in need of an extension will approach MBIE, as has occurred.
13. We do not recommend allowing other organisations or individuals an extension. We have not received any information in the past two weeks to indicate that would be warranted. The vast majority of submissions will therefore be received on time.

14. Timelines for providing you with a summary of submissions and advice about the proposals would not be impacted if a few local authorities provide late submissions. We will focus on analysing the public submissions and other council submissions first.

Next steps

15. Should you agree to an extension for local authorities' submissions on the freedom camping proposals, we will communicate the new deadline to the councils that have requested extensions.