

*Feedback on:*

## **The Ministry of Business, Innovation and Employment proposed changes to support effective management of freedom camping in New Zealand**

11 May 2021

*For clarifications and questions, please contact:*

Simone Tongatule

Local Board Advisor – Maungakiekie-Tāmaki Local Board

---

### **Context**

1. The Ministry for Business, Innovation and Employment Innovation (MBIE) has released a discussion document outlining four proposals for changes to the Freedom Camping Act 2011.
  - Make it mandatory for freedom camping in a vehicle to be done in a certified self-contained vehicle OR
  - 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).
  - Improve the regulatory tools for government land managers, including stronger enforcement powers.
  - Strengthen the requirements for self-contained vehicles.
2. The Freedom Camping Act 2011 defines what freedom camping is and gives effect to the government's policy to allow freedom camping on all public land by default.
3. The legislation does empower local authorities to make bylaws to protect areas where freedom camping should be prohibited or restricted, but only for specific reasons contained in the Act. It also sets out councils' bylaw enforcement powers, and the penalties that apply to freedom campers who break the rules.
4. In its discussion document, MBIE notes that in recent years the increasing number of freedom campers in New Zealand has raised concerns around the impacts of freedom camping on the places and communities that host them. Nationally, this concern has focused on the subset of freedom campers who stay in cars, or vans with sleeping platforms, that are not self-contained. MBIE suggests this form of freedom camping is impacting on the social licence for tourism and putting at risk New Zealand's reputation as a destination that delivers a sustainable, high quality visitor experience.
5. The Government considers while the borders are closed to international visitors, it is a good time to address some of the systemic issues facing freedom camping.
6. Although Auckland Council has not yet made a bylaw under the Freedom Camping Act 2011, a draft Freedom Camping in Vehicles Bylaw was developed in 2018 and released for public consultation in 2019. Public feedback and local board views provided as part of that process highlighted the relevant issues of most concern to Aucklanders, which are broader in scope than the matters covered by the government's proposals.

7. Following a decision in 2019 to set aside the draft Freedom Camping in Vehicles Bylaw 2018, in March 2021 the Governing Body directed staff to develop a statement of proposal for a new bylaw. The key changes from the 2018 bylaw will be retention of the default prohibition on camping on all reserves held under the Reserves Act 1977, and consideration of the inclusion of a general rule to apply to all areas not specifically protected, including roadsides. Following a decision on options for a general rule by the Governing Body in May 2021, staff expect to release a new statement of proposal and draft bylaw for consultation in the second half of 2021.
8. At the Maungakiekie-Tāmaki Local Board's 28 April 2020 business meeting, it delegated authority to the Chairperson and Deputy Chairperson to approve and submit the local board's input into Auckland Council submission on formal consultation from government departments, parliament, select committees and other councils (resolution: MT/2020/32).
9. The due date for submissions to be included in Auckland Council's final submission is 11 May 2021. The Auckland Council submission will be presented to the Governing body for its approval on 27 May 2021. The final submission will be submitted on the 28 May 2021.

### Relevance to the Local board

10. Local boards are responsible for decision-making on local issues, activities and services and providing input into regional strategies, policies and plans. Local boards also have a role in representing the views of their communities on issues of local importance.
11. The Maungakiekie-Tāmaki local board had provided feedback on a new statement of proposal on the Freedom Camping in vehicles Bylaw for considering by the Regulatory Committee and the Governing body in September 2019 (MT/2019/88). However, it is broader in scope than the matters covered by the government's proposals.
12. Every three years local boards set their strategic direction through a local board plan. The Ministry of Business, Innovation and Employment proposed changes to support effective management of freedom camping in New Zealand has relevance to the following outcomes and objectives in the 2020 Maungakiekie-Tāmaki Local Board Plan:

Outcomes	Objectives
<b>Outcome one: Our diverse communities are active, involved and engaged</b>	Communities are given the opportunity to fully participate and feel a sense of belonging
	People have a sense of safety in our community
<b>Outcome three: Our physical and social infrastructure is future-proofed</b>	Community places are accessible and welcoming to our diverse communities
	Our parks and open spaces are treasured and loved
<b>Outcome four: our transport choices are accessible, sustainable and safe</b>	People and traffic move more freely and safely around our area

### Maungakiekie-Tāmaki Local Board feedback on the Ministry of Business, Innovation and Employment proposed changes to support effective management of freedom camping in New Zealand:

The Maungakiekie-Tāmaki Local Board provides the following input:

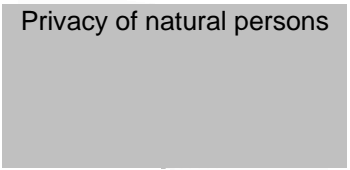
- a) endorse in principle the governments changes while noting the specific Auckland context in relation to freedom camping
- b) recommend including these points in Auckland Council's submission:

- i. all freedom campers using non self-contained vehicles to camping grounds as they provide the appropriate facilities to accommodate them
- ii. develop a permit scheme/booking system where freedom campers need to register for them to be held accountable, for example, a scanning system similar to the covid-19 QR scanner code
- iii. ensure there are no blanket policies for freedom camping locations
- iv. ensure there is adequate safety in place for freedom campers and local communities
- v. for homeless people to be exempt from the act so they are not further disadvantaged

Privacy of natural persons



Privacy of natural persons



---

Maria Meredith  
Chair  
Maungakiekie-Tāmaki Local Board

---

Chris Makoare  
Deputy Chair  
Maungakiekie-Tāmaki Local Board

End.