

Memo

11 May 2021

To: Elizabeth Osborne, Senior Policy Advisor, Community & Social Policy
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cc: Adam Milina – Local Area Manager, Henderson-Massey, Waitakere Ranges and Whau
Carol Stewart, Senior Policy Advisor

From: Antonina Georgetti - Local Board Advisor

Subject: **Whau Local Board** feedback on Auckland Council draft submission to Parliament’s Ministry of Business, Innovation & Employment Hikina Whakatutuki on proposed changes to the Freedom Camping Act 2011

Purpose

1. To provide feedback from the Whau Local Board (the board) to inform Auckland Council’s submission to Parliament’s Ministry of Business, Innovation & Employment Hikina Whakatutuki (MBIE) on proposed changes to the Freedom Camping Act 2011

Context

1. Auckland Council (council) has been invited by MBIE to make a submission on proposed changes to support effective management of freedom camping in Aotearoa.
2. Council has prepared a submission paper dated 28 May and has in turn invited the 21 Auckland local boards to provide feedback on that submission.
3. The Whau Local Board has read the MBIE discussion paper (refer attachment A)
4. At its meeting of 28 April 2021, the Whau Local Board resolved (resolution number WH/2021/38) to delegate authority to the Chair and Deputy Chair to approve and submit the local board’s input into Auckland Council submissions on formal consultation from government departments, parliament, select committees and other councils.

Feedback from the Whau Local Board

5. The Whau Local Board welcomes the opportunity to give feedback on Auckland Council’s submission to the Ministry of Business, Innovation & Employment Hikina Whakatutuki (MBIE) on proposed changes to the Freedom Camping Act 2011.
6. The board has a responsibility to provide feedback based on the Whau communities’ perspective insofar as is reflected in the Whau Local Board Plan 2020, and the demographics of the area.

The rationale for proposed changes to support effective management of freedom camping in Aotearoa

7. The board is clear on, and strongly supportive of, the government’s priorities in addressing this topic, which aims to address some of the negative environmental and community impacts of freedom camping, in particular factors identified as primary and secondary harms in the council’s submission (refers para 4.1). The board also support the tourism sector in its transition to a sustainable, low carbon, high skill and high wage industry.
8. There is clearly a need for policy interventions to attain best outcomes for both the freedom campers as well as Aotearoa.
9. The Whau Local Board acknowledges the four proposals presented by MBIE and would seek development of Proposal 2, with inclusion of components of the other proposals in order not to preclude participation, dependent on level of wealth. The rationale is outlined further into this document.

Challenges and considerations for the Whau Local Board area

10. The challenges in addressing this issue for the Whau area lies within its makeup of a large proportion of its population. Freedom camping is a valued, and sometimes “only option” format of holidays for low-income earners.
- Whau is growing rapidly, with intensified urban housing development, particularly in Avondale and New Lynn. The proportion of the population lives in area of high deprivation.
 - There is pressure to provide quality parks and open spaces to a rapidly increasing population. The option to escape into the wilds should remain an option for all urban dwellers.
 - Whau is one of the most ethnically diverse areas of Tāmaki Makaurau - a higher Pasifika population than the regional average. These communities – along with our Korean, Filipino, Sri Lankan, Middle Eastern, African, and our Māori population are often under-represented in central governance consultation processes.
 - Auckland Council’s own demographics as an organisation are not reflective of the Whau communities it serves, and this can present a lack of understanding of empathy of local issues.

The preferred approach

11. The Whau Local Board acknowledges the four proposals presented by MBIE and would seek development of Proposal 2, with inclusion of components of the other proposals in order not to throw in a blanket approach that would preclude participation, dependent on level of wealth.
12. The four MBIE proposals, Auckland Council’s position, the Whau Local Board’s position and rationale are reflected in the table below.

The four proposals from MBIE	Auckland Council (AC) submission position	Whau Local board feedback position and rationale
<p>1. Make it mandatory for freedom camping in a vehicle to be done in a certified self-contained vehicle.</p>	<p>AC strongly supports, noting limitations</p>	<p>Whau Local Board supports Proposal 2 over Proposal 1.</p> <p>The fundamental reason for the Whau Local Board’s support of MBIE’ review of Freedom Camping in Aotearoa is to be able to address the negative environmental and public health impacts from the inappropriate depositing of toilet waste, wastewater and rubbish by freedom campers.</p> <p>However, Proposal 1 would pose the danger of immediately excluding the majority of lower income New Zealanders from freedom camping. The Whau’s poorer communities would be negatively impacted as freedom camping can be the only affordable holiday option for some. Where children are involved, this consigns them to a childhood without getaways to experience and develop an appreciation and love of the great outdoors’ nature through its rivers, streams, beaches, bush, the night sky, and all the associated aspects including environmental adaptation and understanding of the effects of climate change.</p>
<p>2. Make it mandatory for freedom campers to stay in a vehicle that is certified</p>	<p>AC does not support</p>	<p>The Whau Local Board strongly supports Proposal 2</p> <p>This addresses the negative aspects of the activity as identified above and allows all sectors of New</p>

<p>self-contained, unless they are staying at a site with toilet facilities (excluding public conservation lands and regional parks).</p>		<p>Zealanders the experience of freedom camping, regardless of demographics.</p> <p>If Aotearoa is going to allow freedom camping at all, MBIE needs to invest more to ensure provision of facilities to enhance the experience for all participants across the whole country.</p> <p>The board notes with respect Auckland Council’s resistance to Proposal 2 which to some degree is based on the lack of suitable ‘sites with toilet facilities’ in Auckland and the need of clear definition within the law.</p> <p>These issues need to be addressed within MBIE’s review process, rather than scraping Proposal 2 completely.</p> <p>Freedom camping grows as the more affordable option to get around and see the country. New Zealand should be utilising some of the revenue gathered from other forms of tourism, to provide more public facilities such as toilets and rubbish bins (including recycling options), and also reliable mapping of these facilities along with sites of interest. This means freedom campers can make advanced and well-informed travel plans.</p> <p>Major supermarket chains could be asked to contribute toward mapping expenses in return for having their sites included.</p>
<p>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).</p>	<p>AC supports, noting limitations</p>	<p>The Whau Local Board support components of Proposal 3.</p> <p>Regulatory tools should be set at an enforceable level. The experience at local board level is that as regulatory rules become more stringent, they become harder to enforce due to lack of resources.</p>
<p>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.</p>	<p>AC supports</p>	<p>The board supports components of Proposal 4.</p> <p>The MBIE paper 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 due to the costs associated with upgrading vehicles to be certified as self-contained or paying for alternative accommodation.</p> <p>The board would ask that both Auckland Council and MBIE keep this top of mind when undertaking a review.</p> <p>The practice of freedom camping is often the only opportunity for families living in the suburbs to experience nature’s flora and fauna in its true manifestation – whether by the seaside, bush or mountains. Freedom camping offers experiences not necessarily accessible to a child growing up in our</p>

		<p>congested city. Some of the lower demographic schools no longer offer camping trips, and if they do, it may be a one-off experience.</p> <p>The board does support regulation of businesses that hire out self-contained vehicles, ensuring that these meet a minimum standard set by the MBIE review.</p>
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Impact on Māori

13. The Whau Local Board is concerned about the potential impact on Māori associated with the costs of outfitting a camper van or vehicle to meet the standards required for self-containment, which, may involve gas fitting and plumbing. The board notes that Māori in the community experience higher rates of deprivation relative to the general population.
14. Impact on Mana Whenua is also of significant concern to the board and would seek assurance that robust, early, and meaningful engagement was undertaken with mana whenua entities and that any proposal does not inhibit in any way the fulfilment of cultural obligation or commitments under the Treaty of Waitangi.

Environmental outcomes

15. Environmental outcomes are also of high significance to the Whau Local Board. The board has consistently advocated to ensure that Auckland Council is able to implement the recommendations of Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan and keep temperature rises below 1.5°C. The local board would support this as being a key consideration of any change in the freedom camping policies.

Next Steps

2. This feedback is expected to inform and/or be appended to Auckland Council’s submission, to be presented for review by the Mayor and Councillor Cooper, as Chair of the Governing Body and Regulatory Committee, respectively. The Governing Body is to receive the Auckland Council submission and covering report on 27 May 2021.
3. This feedback is formal, being signed off under delegation, to meet the delivery deadline of 5.00 pm, 11 May 2021 but will be reported to the 26 May meeting of the Whau Local Board to ensure transparent decision-making.
4. If staff have questions about any of the above feedback, please contact the Local Board Advisor – antonina.georgetti@aucklandcouncil.govt.nz.

Privacy of natural persons

Date: 11 May 2021

Kay Thomas
Chairperson, Whau Local Board

Privacy of natural persons

Date: 11 May 2021

Fasitua Amosa
Deputy Chairperson, Whau Local Board