

5 October 2022

Ministry of Business, Innovation and Employment
15 Stout Street
PO Box 1473
Wellington 6140

Attention: Responsible Camping Submissions

By email – responsiblecamping@mbie.govt.nz

Freedom Camping Regulations Feedback

Tēnā koutou,

Please find attached Auckland Council's feedback on Ministry of Business, Innovation and Employment's proposed Freedom Camping Regulations.

The attached feedback contains recommendations made by staff for technical amendments, that support council's position on the Freedom Camping Act 2011. These align with council's submission in May 2021 which was approved by the Auckland Council Governing Body.

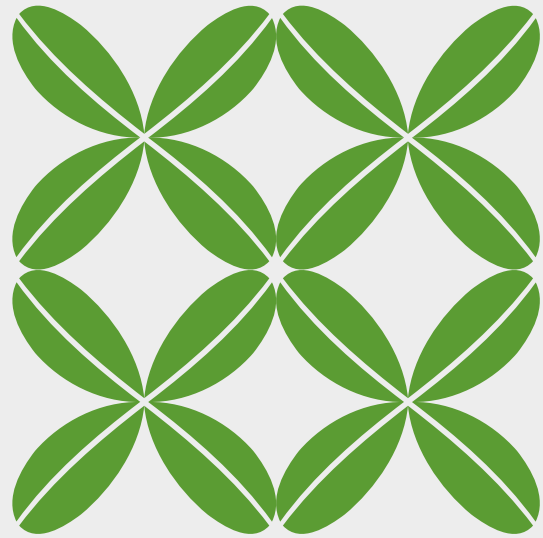
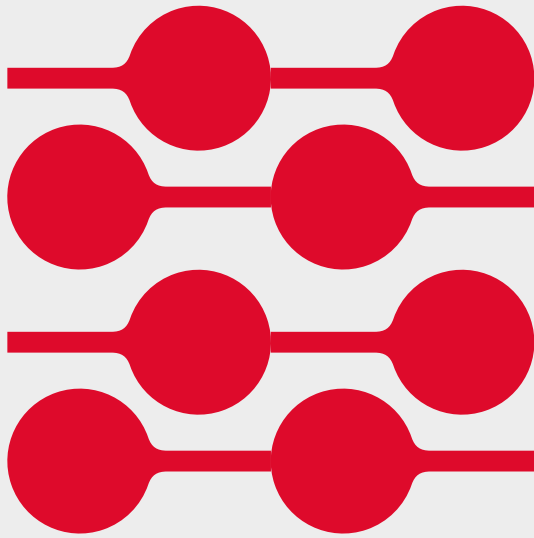
Should you have any queries about this feedback, please do not hesitate to contact Kataraina Maki, General Manager of Community and Social Policy, by email on Kataraina.Maki@aucklandcouncil.govt.nz.

Nāku noa, nā



Kataraina Maki

General Manager, Community and Social Policy
Auckland Council



Freedom Camping Regulations

Auckland Council
Feedback

5 October 2022



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Mihimihi

<p>Ka mihi ake ai ki ngā maunga here kōrero, ki ngā pari whakarongo tai, ki ngā awa tuku kiri o ōna manawhenua, ōna mana ā-iwi taketake mai, tauiwi atu. Tāmaki – makau a te rau, murau a te tini, wenerau a te mano. Kāhore tō rite i te ao.</p>	<p><i>I greet the mountains, repository of all that has been said of this place, there I greet the cliffs that have heard the ebb and flow of the tides of time, and the rivers that cleansed the forebears of all who came those born of this land and the newcomers among us all. Auckland – beloved of hundreds, famed among the multitude, envy of thousands. You are unique in the world.</i></p>
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Introduction

1. Auckland Council (council) thanks the Ministry of Business, Innovation and Employment for the opportunity to provide feedback on the Freedom Camping Regulations, to support effective management of freedom camping in New Zealand.
2. We have made comments only on the elements of regulations that apply to local authorities. We have not commented on technical plumbing requirements, certification authorities, vehicle inspectors or levies and fees which are outside local government regulation.
3. This submission contains recommendations made by staff for technical amendments, that support council’s position on the Freedom Camping Act 2011. These align with council’s submission in May 2021 which was approved by the Auckland Council Governing Body.
4. For further information regarding this submission, please contact Kataraina Maki by email on Kataraina.Maki@aucklandcouncil.govt.nz or phone on (09) 301 0101.

Recommendations

5. The following are staff recommendations to Freedom Camping Regulations. Details and discussion of each recommendation can be found in the specific comments below.

Topic	Recommendation
Self-containment documentation	<p>Council recommends:</p> <ul style="list-style-type: none">• option one - continuing to record the details of a vehicle’s self-containment facilities on the self-containment certificate• a new green self-containment warrant• option one - not having a generic identifier.

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Infringement fees and fines	<ul style="list-style-type: none">• Council recommends option one - a tiered approach to the level of infringement fees to a maximum of \$800.
Exclusions from regulatory requirements	<ul style="list-style-type: none">• Council recommends option one - no exclusions from new regulatory requirements.

Specific comments on the Freedom Camping Regulations

Self-containment documentation

6. Council supports option one, to continue to record the details of a vehicle's self-containment facilities on the self-containment certificate. We support the proposal to have a self-containment certificate that contains the following information, as set out in the discussion document:
 - the licence plate details of the vehicle
 - the date the warrant was issued
 - the date the warrant expires (which would be four years from the date of issue, as long as no major modifications are made to the vehicle)
 - the name of the certification authority that issued the warrant
 - the maximum number of people for which the vehicle has been certified as self-contained
 - a unique number or scannable QR code / barcode that identifies the vehicle and provides access to the above information.
7. The above criteria will ensure enforcement officers are well informed of a vehicles details before engaging with the occupants. This will also allow enforcement officers to accurately link the vehicle to relevant information in the national register, ensuring no fraudulent activity has occurred. The accuracy between the warrant and the register will help improve public trust and transparency in the regulatory system.
8. Council supports changing the colour of the warrant to green. This visibly demonstrates a change to the freedom camping regulations. It also makes it immediately obvious to enforcement officers that the vehicle has recently undergone inspection.
9. Council strongly supports option one – not having a generic identifier. The current blue sticker system has a negative reputation, with many blue stickers being fraudlently printed. Making these stickers obsolete assists with compliance and greater public trust in the proposed regulations. A QR code and/or barcode would assist if it is easily linked to a database.

Infringement fees and fines

10. Council supports the proposal to increase infringement fees in a tiered approach to a maximum of \$800. A tiered approach with an \$800 maximum fee will provide enforcement officers with options of infringements based on the offence. It also aligns well with the Reserves Act 1977 infringement under Section 105B, which relates to freedom camping on Reserve Act land. The current infringement fee is

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set at \$200 and does not have a scale of penalties for different offences. A scale of infringement fees will demonstrate to the public that there are different levels of offending and infringement fees depend on the severity of the offence.

11. Council has recommended in its submission to the the Economic Development, Science and Innovation Committee that Section 11A of the Self-Contained Motor Vehicles Bill be amended to include tents and other temporary structures. In alignment with this, Council also recommends any infringement relating to Section 11A also include tents and other temporary structures to give enforcement officers power to infringe on this matter.

Exclusions from regulatory requirements

12. Council supports option one, that there are no exclusions from the new regulatory requirements. If there were exclusions for smaller freedom camping vehicles or vintage vehicles to be self-contained it would undermine the purpose of the reforms and possibly have unintended consequences with more freedom campers opting to use these vehicles. Option one would be feasible if the owners of vehicles who wished to gain to an exclusion/exemption were only allowed to camp at non-self-contained vehicle sites.