

# SUMMARY OF SUBMISSIONS

## REVIEW OF FREEDOM CAMPING TRANSITIONAL PERIOD FOR PRIVATELY OWNED, SELF-CONTAINED VEHICLES

NOV 2024



# Executive summary

From 8 October to 1 November 2024, the Ministry of Business, Innovation and Employment (MBIE) (on behalf of the Government) publicly consulted on whether to extend the transitional period for privately owned, self-contained vehicles in the Freedom Camping Act 2011 beyond 7 June 2025.

MBIE presented three options for extending the transitional period:

- Option 1: Extend the transitional period by one year to 7 June 2026.
- Option 2: Extend the transitional period by two years to 7 June 2027 (the maximum two years allowed under the legislation).
- Option 3: No extension (status quo, the transitional period would end 7 June 2025).

MBIE received 462 submissions on the consultation. This included submissions from 380 individuals, the Plumbers, Gasfitters and Drainlayers Board (the Regulator), the two largest Certifying Authorities NZ Motor Caravan Association and NZ Lifestyle Camping, the tourism industry's peak body Tourism Industry Aotearoa, the Rental Vehicle Association, six local authorities, eight membership organisations, one regional tourism organisation, and six businesses.

Extending the transitional period by two years was the most preferred option by number of submissions received (290 of 462 or 63%), comprising the majority of individual submitters who self-identified as freedom campers, one local authority and two membership organisations.

Submitters that supported a one-year extension to the transitional period were fewer in number (91 of 462 or 19%) than those who supported the two-year extension, but, critically, this cohort of submitters included the NZ Motor Caravan Association and NZ Lifestyle Camping, the Certification Authorities responsible for 75% of freedom camping vehicle certifications to date. In their dual role as membership organisations, these organisations also represent tens of thousands of individual freedom campers.

Those that preferred one-and-two-year extensions were mostly concerned by there not being enough vehicle inspectors to meet the current transitional period deadline, and not enough time for vehicles to be modified to meet compliance with the new rules prior to inspection.

The Regulator and four of the six local authorities that submitted did not think an extension to the transitional period was warranted, along with 60 or 13% of submitters overall. This view was shared by Tourism Industry Aotearoa, the tourism industry's peak body, and strongly supported by the Rental Vehicle Association.

The most common theme that emerged from those preferring no extension was concern for the environmental impact from the waste left behind in public spaces and in waterways from having non-self-contained freedom camping vehicles in their communities for up to one-or-two-years longer, followed by a view that enough time has been given already for private vehicles to be certified to the new standards.

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# Background

On 7 June 2023, the Government passed the Self-contained Motor Vehicles Legislation Act 2023 (Act 2023) to support local authorities to better manage the impacts of freedom camping on their communities and the environment.

For most self-contained vehicle owners, the obligation to use a vehicle certified as self-contained when staying on certain types of land is being phased in over a two-year transitional period (starting from the commencement of the Act 2023 on 7 June 2023 and finishing on 7 June 2025). However, with around eight months remaining, only a small number of the estimated 73,000 self-contained vehicles have been certified under the new requirements.

From 8 October to 1 November 2024, MBIE publicly consulted on whether to extend the transitional period for privately owned, self-contained vehicles beyond 7 June 2025 to reduce the pressure on Certification Authorities (and their vehicle inspectors). A discussion document which outlined the benefits and drawbacks of the options, was provided to support submitters to make an informed choice on their preferred option.

## Purpose

This paper presents a summary of the submissions received by MBIE. Feedback from submitters has been segmented in the following stakeholder groups:

- Individual (freedom camper)
- Individual (member of public)
- Individual (vehicle inspector)
- Certification Authority
- Business
- The Regulator (the Plumbers, Gasfitters and Drainlayers Board)
- Membership organisation
- Local government
- Regional Tourism Organisation

Other changes to either the Act 2023, or the Freedom Camping Act 2011, and their associated Regulations, were out of scope for this consultation.

## Consultation methodology

The consultation discussion document was published on MBIE's website on 8 October 2024, the public was notified by MBIE's stakeholder alert, and emails sent out to freedom camping stakeholders, including to all local authorities, and freedom camping membership organisations. The full list of stakeholders that submitted is at **Annex One**. 462 submissions were received in total.

For the purposes of analysis, MBIE categorised submissions into groups. Some submitters fell into more than one group category. Based on our best assessment, these submissions have only been counted once. Each submission was then read in full and assessed against the questions within the discussion document. The standard MBIE peer review processes was then followed.

When required, further clarification was sought from the submitter and the updates received were assessed. Six submissions were not counted because they were duplicates (3) or left blank (3).

# Extending the transitional period

## What we asked

We presented three options for extending the transitional period:

- Option 1: Extend the transitional period by one year to 7 June 2026.
- Option 2: Extend the transitional period by two years to 7 June 2027 (the maximum two years allowed under the legislation).
- Option 3: No extension (status quo, the transitional period would end 7 June 2025).

Additionally, submitters were asked if they supported a different period from the options presented that was still within the two-year maximum extension allowed under the law. Submitters were also asked if there were any other costs or benefits that were not identified in the discussion document, and if there were any other issues related to the transitional period that were not covered in the discussion document.

## What we heard

**The greatest number of individual submitters want Option 2, to extend the transitional period by two years, but submitters seeking Option 1, a one-year extension, include the largest Certification Authorities**

Submitters that supported Option 1, a one-year extension to the transitional period (19%)<sup>1</sup>, were fewer in number, but included NZ Motor Caravan Association and NZ Lifestyle Camping, who combined are responsible for 75% of total freedom camping vehicle certifications to date (as well as being representatives of tens of thousands of individual freedom campers). Of the specific individual groups represented in Table 1, 19% of them supported this option, as well as one local government.

Submitters that preferred a two-year extension to the transitional period (63%) mostly compiled individual freedom campers and members of the public, but also included two membership organisations and one local government.

Four of the six local authorities that submitted, and the Regulator, did not think an extension to the transitional period was warranted, along with 13% of submitters overall. This view was shared by Tourism Industry Aotearoa, the tourism industry's peak body, and strongly supported by the Rental Vehicle Association (all rental vehicles are required to be self-contained by 7 December 2024).

There was a small amount of support (2%) for another period within the two-year maximum extension allowed (old system blue warrants should be allowed to expire first before re-certification under the new system is required). Other reasons given for another period were wide-ranging, but no specific other durations were suggested.

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<sup>1</sup> All percentages have been rounded up to the nearest whole number.

*Table 1: Preferred choice for extending the transitional period for privately owned, self-contained vehicles, by submitter type*

	Individual (freedom camper)	Individual (member of public)	Individual (vehicle inspector)	Certification Authority	Business	Regulator	Membership organisation	Local government	RTO	Other	Total
Option 1: One year extension	71	4	1	2				1		12	91
Option 2: Two year extension	240	20	1				2	1		26	290
Option 3: No extension (status quo)	15	12	4	7	6	1	5	4	1	5	60
Another period within the two-year legal limit	5	1					1			4	11
Other (unsure and blank entries)	5	1								4	10

Reasons that submitters (mostly individuals) gave for supporting their preferred option varied, but the most common themes that emerged were the benefit of spreading high costs associated with converting their vehicles to meet the new standards over time and ensuring they could get the work done, that there were not enough vehicle inspectors in the system to inspect the remaining vehicles before the current transitional period ended, and that old system blue warrants should be allowed to expire first before re-certification under the new system is required.

There were some submitters, mostly individuals, who felt the freedom camping rules were simply unnecessary or unwanted, but this is beyond the scope of this consultation.

Table 2: Top reasons submitters gave for preferring an option, by reason<sup>2</sup>

	High cost of meeting compliance	Not enough vehicle inspectors	Not enough time for vehicles to be made compliant	Current warrants should be valid until they expire	There is sufficient time already	Negative impact on the environment or community	Some vehicle owners will delay certification as long as allowed	Total
Preferred Option 1: One year extension	9	42	32	16				99
Preferred Option 2: Two years extension	27	88	82	60				257
Preferred Option 3: No extension (status quo)	1				16	27	12	56
Another period within the two-year legal limit	1	3		4				8

Those that preferred one-and-two-year extensions shared the same types of concerns with many saying there are not enough vehicle inspectors to meet the current transitional period deadline, and there not being enough time remaining for vehicles to be modified to meet compliance with the new rules prior to seeing a vehicle inspector.

*“Many of our vehicle inspectors are under pressure trying to keep pace with the demand, and we expect this demand will rise in early 2025 as we near the end of the transition period. ...It will be difficult for many [vehicle inspectors] to meet and sustain the demand for inspections for another 6-8 months. ...Councils and communities may not tolerate a long extension, but we feel 12 months is a fair compromise.” – NZ Motor Caravan Association*

*“[No extension to the transitional period] does not allow enough time to get 70,000 units processed. It just can’t be done by June 2024 (sic)” – NZ Lifestyle Camping*

Many of those who believed that there should be no extension to the transitional period (a minority of individuals, the Regulator, and most certification authorities (although not NZ Motor Caravan Association or NZ Lifestyle Camping), all six businesses and four of the six local authorities opposed any extension. Many of these submitters instead felt that there had been enough time given already for private vehicles to be converted and certified compliant with the new standards.

*“[W]ithout any incentive to drive compliance in a staggered way over the transition period, vehicle owners will simply delay getting their vehicles certified until close to any new deadline. [An extension would create] an extended lull in the rate of inspections and certifications and a surge in demand as the deadline approaches.” – The Regulator*

The most common theme that emerged from these submitters who supported no extension was concern for the environmental impact from the waste left behind in public spaces and in waterways from having non-self-contained freedom camping vehicles in their communities for one-or-two-years longer. This point is summed up by Tourism Industry Aotearoa.

*“We are concerned that extending the transitional period will negatively impact freedom camping’s social license as a greater number of vehicles under the old system continue to freedom camp. The*

<sup>2</sup> Some submitters gave more than one reason for their choice of option.

*cost to our environment, local authorities and communities will outweigh the benefits of extending the transition period.” – Tourism Industry Aotearoa*

On this subject, one local authority expressed their concerns.

*“Environmental impacts: toileting in sand-dunes, parks, roadside areas, etc, impacting on environmental health, public perceptions and community access (with associated complaints to councils and clean-up costs for councils). ...[L]ikely to be ongoing costs to councils if the transitional period is extended, and that councils and local communities have already been negatively impacted by freedom camping activities for too long.” – Christchurch City Council*

Only 11 submitters indicated they would prefer another period within the two-year legal limit to extend the transitional period. Their reasons were similar to submitters who preferred one-and-two-year extensions (high cost of meeting compliance, not enough vehicle inspectors, and old system blue warrants should be allowed to first expire).

**Additionally, we asked submitters if they felt there were any other costs or benefits that were not identified in the discussion document. Most said there was not, were unsure or gave no response**

Only 13% of submitters responded ‘yes’ to this question, and comments received varied considerably. Some submitters felt that costs may increase due to availability of trades people to do the vehicle conversions. Some felt demand for the toilets that met the new system requirements would increase, and prices for those toilets would therefore likely increase with demand. One submitter felt that extending the deadline would mainly just benefit camping grounds.

*Table 3: Number of submitters that felt there were other costs or benefits that were not identified in the discussion document, by response type*

	Yes	No	Unsure/no response	Total
Other costs or benefits	60	101	282	462

**The government also asked if there were any other issues related to the transitional period that were not covered in the discussion document. Most said there was not, were unsure or gave no response**

Only 16% of submitters felt there were other issues. Some of the issues highlighted were a potential rise in inspection fees charged by vehicle inspectors as demand increased and the transitional deadline neared. One individual noted that there is an on-going issue of some current vehicle models popular with freedom campers would not be able to be converted to be made compliant due to, for example, restrictions in space to install a fixed toilet.

*Table 4: Number of submitters that felt there were other issues related to the transitional period, by response type*

	Yes	No	Unsure/no response	Total
Other issues related to the transitional period	74	304	84	462



# Next steps

## What happens next?

Any policy changes resulting from this consultation will require Cabinet agreement before Schedule 1AA of the Freedom Camping Act 2011 can be amended.

# Annex One: List of submitters

Some names have been withheld on submitter's request (on a case-by-case basis). Individual submitters have not been identified. Some submitters fall into more than one category. These submissions have only been counted once. Some submitters did not identify their respondent type.

Freedom camper	338 individual submitters
Member of a local community impacted by freedom camping	38 individual submitters
Self-contained motor vehicle inspector	9 individual submitters
Certifying Authority	B2B RV Limited, SCNZ Ltd, Ray's Plumbing, New Zealand Motor Caravan Association, NZ Lifestyle Camping Ltd, Custom Plumbing
Local government	Waitaki District Council, Manawatū District Council, Queenstown District Council, Christchurch City Council, Selwyn District Council, Clutha District Council
Regional Tourism Organisation	Mackenzie Tourism
Business	Havelock Holiday Park, Travvia Group, Holiday Park Northland, Just The Ducks Nuts
Membership organisation	Rental Vehicle Association, Freedom Campers NZ, Arrowtown Promotion and Business Association, Holiday Parks New Zealand, Tourism Industry Aotearoa, Hospitality NZ, Responsible Campers Association
Regulator	The Plumbers, Gasfitters and Drainlayers Board
Identified as others or prefer not to say	40 submitters