

6 October 2022

Via email: responsiblecamping@mbie.govt.nz

SUBMISSION TO THE MINISTRY OF BUSINESS INNOVATION AND EMPLOYMENT ON THE FREEDOM CAMPING REGULATIONS DISCUSSION DOCUMENT

Kia ora,

Thank you for the opportunity to provide feedback on the Freedom Camping Regulations discussion document.

The Queenstown Lakes District is one of the most popular camping destinations in New Zealand. Due to the significant impact freedom camping can have on the environment and local communities it is crucial that it is managed effectively.

There is some alignment between the proposed Freedom Camping Regulations and the QLDC Responsible Camping Strategy 2022-2027. This Strategy aims to ensure that all campers who visit the Queenstown Lakes District respect the environment, give back to communities, and enjoy the beautiful landscape sustainably. However, QLDC recommends further investment in infrastructure, national freedom camping education and monitoring solutions that sit alongside the proposed changes to freedom camping.

QLDC broadly supports the proposed regulations. This submission relates to matters in the discussion document that sit within local government regulation, including self-containment documentation, infringement fees, and exclusions from regulatory requirements. Matters outside of local government jurisdiction have not been addressed in this submission (technical plumbing requirements, certification authorities, vehicle inspectors or levies and fees).

The following feedback and input represent the views of Council officers and has not been ratified by full Council.

For ease of reference, we have provided comments on each of the proposed regulations relevant to local government as Annex A.

Kind regards,



Ken Bailey
General Manager, Community Services
Queenstown Lakes District Council

ANNEX A

1.0 The format of the self-containment certificate and warrant

- 1.1 QLDC supports the proposal to have a self-containment warrant 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 that identifies the vehicle
 - a scannable QR code or barcode included to access the above information.
- 1.2 The provision of the above information would enable enforcement officers to accurately link the vehicle to the information in the national register. This warrant will make the enforcement process easier to administer and will improve accuracy and enhance public trust and transparency in the regulatory system.
- 1.3 The continued use of a certificate (either detailed or simplified) is supported. This gives enforcement officers additional documentation to consider if they have concerns about the reliability of the vehicle's self-containment warrant.
- 1.4 QLDC supports changing the colour of the warrant from blue to green as this will reinforce the change from a voluntary standard to a compulsory standard.
- 1.5 QLDC supports Option 2, having another generic identifier, to indicate a vehicle has been certified as self-contained under the new regulatory requirements. However, changing the sticker colour to green will not prevent issues with counterfeit stickers being used on vehicles that don't meet the self-containment standards. The format of the generic identifier must be improved to prevent counterfeiting if these new identifiers are to be trusted.

2.0 The fees and fines attached to each infringement offence

- 2.1 QLDC supports a change to the current flat infringement fee of \$200 to a tiered fee structure that is proportionate to the harm caused. A \$200 penalty is not sufficient for offences where there is damage to property, an intent to deceive or a breach of bylaw. The introduction of higher infringements in the setting of a national register will provide a stronger disincentive for breaching bylaws and encourage compliance.
- 2.2 QLDC supports the proposal to increase infringement fees in a tiered approach to either Option 1 (maximum fee of \$800), or Option 2 (maximum fee of \$1,000).
- 2.3 QLDC recommends infringements are included in the Freedom Camping Regulations to allow for additional and increased penalties for repeat breaches of the Freedom Camping Act 2011 and local freedom camping bylaws.

- 2.4 QLDC recommends enforcement mechanisms are developed to reduce the number of unpaid freedom camping infringements (e.g., fines to be paid at the international border before leaving New Zealand).

3.0 Exclusions from regulatory requirements

- 3.1 QLDC supports Option 1, that there are no exclusions from the new regulatory requirements. Exclusions for smaller freedom camping vehicles to have a fixed toilet or vintage vehicles to be certified as self-contained would undermine the purpose of the reforms and make enforcement more complex for local authorities.

4.0 Infringements and homelessness under the Freedom Camping Act 2011

- 4.1 QLDC supports the policy intent to continue to support enforcement authorities in applying their discretion and not to issue infringement notices to people experiencing homelessness. However, it recommends that further guidance and support is provided to local authorities to assist enforcement authorities in making this challenging assessment. Enforcement officers are not currently trained to make this determination.
- 4.2 The Queenstown Lakes District has limited services to support people who are homeless and while it is working with Government partners to improve the availability of affordable accommodation, this issue is unlikely to be resolved in the short term.