

P09-002 Camping Ground Policy

Approved by the Council on 8 June 2009.

Purpose

This policy addresses the administration and management of camping grounds on Council administered land.

Definitions

- **Camping ground** means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purposes of placing or erecting on the land temporary living-places for occupation by two or more families or parties (whether consisting of one or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water-supplies, cookhouses, sanitary fixtures, or other premises and equipment.
- **Temporary living place** is a cabin, caravan, vehicle, tent, or other building or structure for human habitation for periods not exceeding 50 continuous days in any term of occupancy.
- **Occupation** is habitation at specific site in a camping ground for exclusive of a single party.
- **Permanent structure** is any building or associated equipment that is attached to the soil by means other than by tent pegs or similar devices and for the avoidance of doubt also includes water or grey water connections and an awning where the awning is attached by screws, nails or flashings.
- **Investment** means the capital provided by lessee /contract managers for new capital items such as buildings (cabin, communal lounge) as provided for in the approved development concept. For the purposes of clarification, investment is not considered to be maintaining or renewing existing facilities unless agreed to prior to works being undertaken. A schedule of agreed investments will be maintained with each lease.

Goal

This policy provides clarity on how camping grounds on Council administered land will be managed to facilitate an enjoyable holiday experience that complies with applicable legislation and regulation. It also stipulates how the camping grounds will minimise ratepayer cost and provide a viable business for lessees.

Objectives

The objectives of this policy are to:

- i) Optimise third party investment to reduce ratepayer funded capital.

- ii) Provide for long term leases with clear terms and conditions and renewal stages linked to performance criteria and compliance.
- iii) Facilitate financially viable business with incentives for the lessee to invest.
- iv) Show how the Council will achieve full compliance with all relevant legislation, policies and codes.
- v) Optimise use by the public for temporary accommodation.

Implementation

Leases

Upon expiry of existing agreements (leases and management contract), new leases for camping grounds on recreation reserves at Oakura, Belt Road, Fitzroy, Onaero and Urenui will be applied in accordance with the Reserves Act 1977.

Upon expiry of the existing leases, a new lease for the camping ground at Waitara in accordance with the Public Bodies Leases Act and S138 of the Local Government Act 2002 will be issued.

The terms and conditions of this policy will be reflected in all new leases.

Lease Term

The maximum total lease term is 33 years.

Leases will be generally for five years with right of renewal subject to performance, compliance and investment.

The maximum term for a lease with no lessee investment is 10 years.

Fees

Lessees will be responsible for setting fees but must be able to demonstrate they are fair and reasonable in respect of the industry.

Use of camp ground sites

All temporary living places on camping grounds on Council owned land must comply with relevant legislations, regulations, codes and policies. Permanent structures, including permanent awnings to be further considered after the investigation, consideration and determination of the issue of the erection and/or existence of structures and buildings on recreation reserve land. All non compliant private structures to be removed at owners' expense within time frames to be advised in writing.

Note that this matter needs to be further considered after the investigation, consideration and determination of the issue of the erection and/or existence of structures on reserve land. To be completed by June 2010.

The duration of temporary occupation will comply with relevant legislation.

Permanent parking of buses and other mobile accommodation structures will be permitted subject to Ministerial consent, and thereafter by agreement with the lessee and compliance with all other legislation.

All vehicles (including buses and other mobile accommodation structures) must retain a current vehicle warrant of fitness and where required, an electrical certificate of compliance (or equivalent).

Monitoring

Day to day operation and management and compliance with legislation, regulations and policies is the responsibility of the lessee. The Council will monitor the use of camping grounds and compliance of this policy via annual site inspections and lessee assessments.

The Council will undertake ongoing monitoring of the terms and conditions of the lease. The Council shall retain its role as regulator under the Resource Management Act and building code.

Site Development

Site layout and provision of structures and services will be in accordance with an approved Development Concept Plan. The Council will undertake annual review of progress towards implementation of the development concept plan.

Building standards

Buildings must be designed to a standard approved by the Council.

Trees

Trees will be maintained by the council in accordance with the District Tree Policy.

Industry standards

A negotiated Qualmark standard shall apply each year which will be used as part of the lessee's annual performance assessment.

Continuous occupancy term

Any continuous term of occupancy shall not be permitted to exceed 50 days.

Legislative and policy context

The following legislation applies to camping grounds in the New Plymouth District

- Building Act 2004.
- Camping Ground Regulations 1985.
- Conservation Act 1987.
- Health Act 1956.
- Local Government Act 2002.

- Ngati Mutunga Claims Settlement Act 2006.
- Reserves Act 1977.
- Resource Management Act 1991.
- Waitara Harbour Act 1940.

The following policies apply to camping grounds in the New Plymouth District:

- Belt Rd Common Land Covenant in Deed.
- Coastal Reserves Management Plan 2006.
- Decision Report by Independent Commissioner: Changing the layout and extent of the existing camping ground at Fitzroy Beach, New Plymouth.
- Department of Building and Housing: Determination 2006/72 Notice to Fix in respect of certain units at Oakura Beach Camp, New Plymouth, 11 August 2006.
- District Tree Policy.
- New Plymouth Council Consolidated Bylaws 2008.