



Camping Ground Logic

Some of you will be aware of the pending court action to determine the validity of the lease of our camping ground in Considine Park, others may not be.

As at the time of writing this the South Wairarapa District Council, is due to present their case at the High Court in Wellington in an attempt to validate their decision to lease out the Martinborough camping ground to Martinborough Village Camping Ltd. The date for the hearing is the 2nd April 2007. Three days have been set down for this hearing; the Council has had to instruct Barristers to defend their position.

This is a summary of how we, the undersigned, see the action and believe there is a need to inform the community.

Considine Park consists of various parcels of land, some of this land was bought by the old Town Board, and some was donated. The area was made subject to 3 Declarations of Trusts deposited, but not registered, in the Land Registry Office by the Martinborough Town Board, they are dated 1913, 1920 and 1922 – each deed covering different parts of the park.

These documents are similar, use old legal language and are difficult to understand. Probably parts (or all) of the documents could be regarded as having been revoked by later government legislation. We believe it is these deeds that are part of the plaintiff's action against the Council. The deeds appear to:

- * Permit (among other things) the leasing or part leasing of the land,
- * allow the Council to charge fees/rentals,
- * identifies recreational activities;
- * describes the area as Public Park and Recreational Grounds,
- * Prohibits (among other things) 'persons encamping placing any booth tent shed stand

screen post rail fence swing or other erections or obstruction' 'without the consent in writing of the Board'. In other words it allows camping with permission of the Council.

- * The deeds appear to be restrictive on one hand but flexible on the other: 'Such other purposes of a like nature as the Board may from time to time deem expedient or advisable'

The documents are probably more relevant to the 1920s than they are today. Perhaps they require reviewing to meet the needs of our community now. They may need revoking all together. It would appear that these Trust Deeds have either been forgotten or ignored by successive Councils as the camping ground has been part of Considine Park for 60 odd years. The camp kitchen and toilet facilities were originally attached to the swimming pool complex and were first built in 1940. In the early 1980s these facilities were rebuilt and power was then supplied to some sites.

The camping ground has been run unsuccessfully by successive Councils until it was recently extended and leased to Martinborough Village Camping Ltd who developed the site at their expense. As a result of this development there has been a dramatic increase in the number of campers and campervans.

Councils throughout New Zealand lease out camping grounds to private enterprise. Lake Ferry Motor Camp is run by leaseholders. There have been several recent articles in our national papers urging councils to own and retain camping grounds rather than have them sold for development due to residential pressure and soaring land values. We are fortunate to have our camping ground.

There are issues we believe ought to be considered:

1. It does appear (but this is debatable) that the Council has made some blunders in dealing

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with the leasing of the camping ground. However it would appear that the parties have acted in good faith and in the best interests of the larger Community.

2. It is understood that the lease with Martinborough Village Camping Ltd is typical of camping ground leases. It was drawn up with assistance from NZ Holiday Parks Assn.

3. We believe the camping ground development is beneficial for our community, providing a greatly improved facility with economic benefits accompanying the increased visitor numbers.

4. We struggle to understand what disadvantages this development brings to our community, the site is kept tidy, trees and scrubs have been planted and existing trees tidied up and maintained. To be more viable the site has been extended and new kitchen and toilet/-shower blocks have been added.

5. The lease gives the Council a return and reduces its liability - a bonus for us ratepayers.

6. It is to be remembered that the land is leased and is not for sale.

7. Surely logic could have prevailed and some compromise agreed to as this action is costing

ratepayer's a considerable amount of money (around \$50,000 and rising - we understand).

For those interested in the Trust Deeds copies are available at either the Council or at the Library.

If you have concerns/ thoughts on this matter please make them known to your Community Board members or councilors.

Liz and Max Stevens

**THE
MARTINBOROUGH
STAR**



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