

Hi Nick,

Thank you for your request for planning and title advice. As requested, I have provided the certificate of title and the conservation covenant for the property and also addressed your question regarding: the zoning of the property and what (if any) resource consent(s) are required for a camp ground on the property.

*The Property Title and Interests:*

The conservation covenant restricts the activities (i.e. operating a campsite or constructing buildings or structures) that you can undertake on the part of the property affected by the covenant. Buildings/structures, the grazing of animals, cats and dogs, and the entry by the general public are all activities that are not allowed to occur, or be on the covenant area without prior council approval. An alternative approach to seeking council approval for any works or items on the covenant area, would be to apply to modify the covenant. However, the covenant protects the native bush area on the property and it is unlikely that council would support modification of this covenant unless the modifications would not affect the regeneration of native bush and would not increase the risk of pests (plant and animal) in the covenant area.

*The Zoning and Resource Consent Requirements:*

10 Top Street is zoned Rural under the Franklin District Plan. [Here is the link to the District Plan](#) document (broken up into chapters - some nice light reading!).

Establishing and operating a campsite/campground (see the definition provided below) on the property (outside of the covenanted areas) is a discretionary activity. Establishing and operating a motor camp (see below) is a non-complying activity on the property.

**CAMPING GROUND or TEMPORARY LIVING PLACE** means any area of land used or designed or intended to be used to provide temporary living places for rent, hire or reward for two or more HOUSEHOLDS for periods not exceeding 50 days in any continuous term of occupancy, and usually involves the use of tents, cabins, caravans or other vehicles, or other structures or shelters which would not normally comply with the New Zealand BUILDING Code applying to RESIDENTIAL BUILDINGS. Note: While HOUSEHOLDS would normally live separately they may enjoy the use in common of entrances, parking areas, recreation areas, water supplies, cookhouses, sanitary conveniences, or other premises and equipment. Any caravan located on a site must have a current Warrant of Fitness in order to be classified as temporary. Where the caravan etc. remains on site longer than 50 days, it is still within the definition of TEMPORARY LIVING PLACE if it is not occupied for more than 50 days continuously.

**MOTOR CAMP** means a camping ground together with land and one or more BUILDINGS used for transient accommodation of travellers by ROAD. For the purpose of this definition transient accommodation of travellers by road shall include residential accommodation and garaging facilities and may include services by way of fuelling of vehicles, shops, restaurants, swimming pool, playground facilities and the like, provided that these are ancillary to the camping ground and are not available to the general public.

A discretionary activity means that to set up and operate a camp site you need to apply for consent and this consent may be granted (most likely with conditions) or refused. The application may also be notified or may be served on affected parties. The application (for either discretionary or non-complying activity consent) will be assessed in terms of relevant matters, including:

If the proposed campground will affect:

- neighbourhood or community values (specifically cultural, social or amenity values);
- convenience, health or safety;
- visual qualities;
- visually significant landscapes and natural features (including bush areas);
- any identified geological site;
- affect ecosystems (including plants and animals);
- affect natural or physical resources (ie land erosion or flooding);
- existing structural resources (ie roads, infrastructure);

- tangata whenua's traditional access to resources that are of spiritual, cultural and historical significance to them;
- any known archaeological/historical site;
- the unnecessary depletion of non-renewable energy resources;
- the potential of particular resources to be used, by future generations, for activities that directly rely on these resources;
- any discharge of contaminants; and
- on the public services that council is responsible for.

The most significant issues when establishing a campground, and issues that will need to be appropriately addressed in the resource consent application are likely to be issues of noise, visual amenity and the capacity of infrastructure (including roading) to adequately meet the anticipated demand. Expert reports (by traffic and infrastructure engineers) may need to be submitted with the application to adequately address these issues however, this is dependent on the scale of camp ground that is sought. A camp ground that allows 50 'sites' rather than a camp ground that allows for 10 'sites' has the potential for greater adverse effects and the level of information provided with an application will need to reflect this. A resource consent application will also need to contain the necessary plans (ie site plan), certificate of title (and interests), completed application forms, [assessment of environmental effects](#) and deposit fee.

I hope this has been helpful for you, I am happy to go through the above matters with you or answer any questions you may have. I can be contacted [here](#).

--

Kind regards,

Cindy Weir  
Cheap Titles

021 324639  
[www.cheaptitles.co.nz](http://www.cheaptitles.co.nz)