

Policy for Private Structures on Esplanade Reserves

Historically Council has acquired esplanade reserves in coastal areas or adjacent to rivers through land subdivision. Such land is subject to the Reserves Act 1977. In some instances this land has vested in Council with buildings, baches or other structures that have been erected with the consent of a previous landowner. The Reserves Act 1977 does not provide for buildings to be erected on esplanade reserves.

The Council policy in dealing with such structures on esplanade reserves is as follows:

- 1 Any structure not owned by the Council must be subject to a licence agreement for the envelope of the footprint of the structure only.
- 2 Any structures which are considered by the Council to be either unsafe or pose a health risk may be required to be removed at the expense of the owner.
- 3 No additions or improvements are to be permitted without the approval of Council but the structures are to be maintained to a reasonable standard and to the Council's satisfaction.
- 4 Licences may not be assigned.
- 5 Permanent residential occupation of structures is not permitted.
- 6 Structures are not to be commercially let.
- 7 Licence fees are to be determined by a registered valuer and are to take into account the value of nearby or similar land and the rates paid thereon.
- 8 The term of occupancy is to expire on 31 March 2014 unless otherwise approved by the Council (the Council approves the Gatward bach at Ligar Bay remaining for the life of Mrs Gatward, as an exception to this part of the policy).
- 9 Owners of structures on land acquired for esplanade reserve after 1 January 2011 shall have the option of being subject to a licence under this policy for a maximum period of three years following the vesting of the esplanade reserve or removing the structures within six months of notice being given by the Council.
- 10 Upon expiry of any licence all improvements are to be removed to the satisfaction of Council at the owner's expense.