

Reference Number: 2025/1320

21 November 2025

[REDACTED]

[REDACTED]

Thank you for your email dated 11 November 2025 requesting information relating to the Foxtton Beach Holiday Park under the Local Government Official Information and Meetings Act 1987 (LGOIMA). Please see outlined below a response to each part of your request.

The current head lease/management agreement between HDC and Kroll Developments Ltd for Foxtton Beach Holiday Park (including term, renewal, and any clauses on fairness/approval of licence transfers).

Horowhenua District Council (the Council) is withholding the full lease document itself as the document contains commercially sensitive terms and operational details specific to their business.

This information is being withheld under:

- s7(2)(b)(ii) protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
- s7(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

However, we can provide the key information from the lease that you have asked for:

- The Term is for 21 years from October 2012.
- There is provision for three rights of renewal: on 1 October 2033, 1 October 2054 and 1 October 2075 (with 3 months' notice required from the Lessee of their intentions to proceed with each right of renewal).
- There are no clauses regarding fairness/approval of licence transfers. The reason for this is explained in the responses to questions 2 and 3, outlined below.

Any policies, guidelines, KPIs or service standards Council has set for the operator regarding handling of licence transfers/sales.

There are no policies, guidelines, KPI's or service standards that Council has set for this lessee (operator) regarding handling of licence transfers/sales. This is because the lease for the Foxtton Beach Holiday Park is a land-only lease, with the Lessee having total management control of the site. Consequently, it is Council's considered position that any handling of licence transfers/sales provisions are the responsibility of the Lessee, and that Council's powers under the lease, other than standard conditions related to managing the land, are mainly limited to its regulatory oversight. In summary, the lease has no provisions

requiring the Lessee to consult with Council on operational management of the site, and similarly has no provisions for Council to set, administer, or arbitrate in respect to licence transfers or sales.

Any complaints, investigations, audits or correspondence since 1 Jan 2023 concerning licence-transfer refusals or sale processes at the park.

Council has not received any complaints, investigations, audits or correspondence since 1 Jan 2023 concerning licence-transfer refusals or sale processes at the park.

Given the Lessee solely has control of the day-to-day management of the site, and the lease is a land-only lease, complaints relating to on-site management, including licence transfer or sale decisions should be referred to the Leaseholder (Kroll Developments Ltd).

Council has no powers of intervention unless there are regulatory breaches falling under its regulatory powers. Such breaches would include breaches of the building code; noise complaints; or nuisance as examples. Regulatory powers do not extend to the day-to-day running of the camp.

You are entitled to seek an investigation and review by the Office of the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Horowhenua District Council publishes responses to Local Government Official Information and Meetings Act 1987 (LGOIMA) requests that we consider to be of wider public interest, or which relate to a subject that has been widely requested. To protect your privacy, we will not generally publish personal information about you, or information that identifies you. We will publish the LGOIMA response along with a summary of the request on our website. Requests and responses may be paraphrased.

If you would like to discuss this decision or any of the information provided as part of this request, please contact Brent Harvey (Group Manager Community Experience and Services) on brenth@horowhenua.govt.nz, or LGOIMAOfficer@horowhenua.govt.nz.

Ngā mihi | Best regards



Monique Davidson
Chief Executive