

<b>Decision released from confidential session</b>			
<b>Recommendation from (agenda report)</b>	<b>Date of meeting</b>	<b>Recommendation to (decision-making meeting)</b>	<b>Date of meeting</b>
Strategic Development and Property Subcommittee	9 June 2022	Strategic Development and Property Subcommittee	9 June 2022
<b>Report Title and number</b>			
Brook Valley Holiday Park Compliance and Future Planning (R26878)			
<b>Documents released</b>			
Decision (SDAP/2022/045), report Brook Valley Holiday Park Compliance and Future Planning (R26878) and its attachments (A2896450; A2843298; A2896353; A2895897 and A2897356)			
<b>Decision</b>			
Resolved			
That the Strategic Development and Property Subcommittee			
1. Receives the report Brook Valley Holiday Park Compliance and Future Planning (R26878) and its attachments (A2896450; A2897351; A2843298; A2896353; A2895897 and A2897356); and			
2. Agrees that work to achieve compliance with the Resource Consent as granted for the Brook Valley Holiday Park be undertaken as a priority; and			
3. Requests that Officers provide options for a future operating model for the Brook Valley Holiday Park, giving effect to the social and unique characteristics of the Park; and			
4. Requests that Officers continue to work with long-term occupants at Brook Valley Holiday Park to meet compliance obligations; and			
5. Requests that Officers continue to provide regular updates to the Subcommittee as urgent compliance work at Brook Valley Holiday Park is undertaken; and			

6. Requests that Officers apply for a variation to the resource consent to remove the requirement for a sinking lid and if feasible to increase the number of concurrently occupied RHP sites to 23.
7. Notes that the Subcommittee was not provided with sufficient detail regarding the Brook Valley Holiday Park Resource Consent application, which has resulted in an unplanned limit on numbers of long-term occupants; and
8. Agrees that this Report (R26761) and Attachments (A2896450; A2843298; A2896353; A2895897 and A2897356) be made publicly available once long-term occupants have been relocated; and
9. Agrees that the Attachment A2897351 remain confidential.

Released from Confidential on 31 January 2024

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**Brook Valley Holiday Park Compliance and Future  
Planning**

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**1. Purpose of Report**

- 1.1 To provide options to the Subcommittee regarding urgent compliance, long-term planning and viability for the Brook Valley Holiday Park (BVHP).
- 1.2 To confirm that the Subcommittee agrees that work to achieve compliance with the Resource Consent as granted for BVHP can be undertaken as a priority.
- 1.3 To confirm the Subcommittee's intention to investigate future options for the operating model of BVHP.

**2. Summary**

- 2.1 This report is provided in the context of significant ongoing complexity towards finding a path forward for BVHP, particularly related to urgent compliance, long-term planning and viability, while balancing the needs of long-term occupants, increasing reliance on ratepayer funding and a recently issued Resource Consent.
- 2.2 This report does not provide substantive new information but seeks to look at the existing issues in a new way and identify options for a way forward.
- 2.3 This report acknowledges that despite the best intentions, Officers have not previously provided sufficient clarity regarding the voluntary inclusion of a sinking lid condition in the BVHP Resource Consent, which has resulted in an unplanned limit on numbers of long-term occupants at the camp in Resource Consent provision.
- 2.4 This report recommends that it may be prudent and pragmatic to address the number of long-term occupants at the BVHP in future viability and strategic planning, to ensure urgent compliance works can

be undertaken as a priority and mitigate the risk of compliance enforcement.

### **3. Recommendations**

***That the Strategic Development and Property Subcommittee***

- 1. Receives the report Brook Valley Holiday Park Compliance and Future Planning (R26878) and its attachments (A2896450; A2897351; A2843298; A2896353; A2895897 and A2897356); and***
- 2. Agrees that work to achieve compliance with the Resource Consent as granted for the Brook Valley Holiday Park be undertaken as a priority; and***
- 3. Requests that Officers provide options for a future operating model for the Brook Valley Holiday Park, giving effect to the social and unique characteristics of the Park; and***
- 4. Requests that Officers continue to work with long-term occupants at Brook Valley Holiday Park to meet compliance obligations; and***
- 5. Requests that Officers continue to provide regular updates to the Subcommittee as urgent compliance work at Brook Valley Holiday Park is undertaken; and***
- 6. Notes that the Subcommittee was not provided with sufficient detail regarding the Brook Valley Holiday Park Resource Consent application, which has resulted in an unplanned limit on numbers of long-term occupants; and***
- 7. Agrees that this Report (R26761) and Attachments (A2896450; A2843298; A2896353; A2895897 and A2897356) be made publicly available once long-term occupants have been relocated; and***
- 8. Agrees that the Attachment A2897351 remain confidential.***

#### **Exclusion of the Public**

- 3.1 This report has been placed in the confidential part of the agenda in accordance with section 48(1)(a) and section 7 of the Local Government Official Information and Meetings Act 1987. The reason for withholding information in this report under this Act is to:

- Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person

#### 4. Background

- 4.1 In August 2019, a report to the Sports and Recreation Committee (R10364; A2505899 available on SharePoint) raised non-compliance issues relating to the BVHP and recommended a proposal to achieve compliance, through the establishment of a relocatable home park in the areas where long-term occupants currently live.
- 4.2 Following recommendations by the Committee, the following decisions were resolved by Council on 19 September 2019 (CL/2019/004):

Resolved CL/2019/004

*That the Council*

1. *Approves the proposal to establish a relocatable home park area under the Camping-Grounds Regulations 1985 at the Brook Valley Holiday Park; and*
2. *Directs officers to consult with persons likely to be affected as set out in paragraphs 9.1 of the report (R10364) prior to any final decision; and*
3. *Directs officers to report back on the costs associated with the proposal in report (R10364) prior to any final decision; and*
4. *Notes that until significant progress with ensuring compliance at the Park is made the number of permanent occupants will not increase; and*
5. *Notes staff will be progressing with compliance at the Brook Valley Holiday Park prior to any final adoption of the Brook Recreation Reserve Management Plan and the comprehensive development plan.*
6. *Agrees that Report (R10364), Attachment (A2229014) and the decision be excluded from public release at this time.*

Skinner/Fulton

Carried

- 4.3 In October 2019, Council Officers were formally instructed that the BVHP was in breach of its compliance obligations, due to issues related to non-compliance under the following legislation:

- Camping-Grounds Regulations 1985 (under the Health Act 1956) (CGR 1985)

- Building Act 2004 (BA 2004) and Building Regulations 1992 (BR 1992)
- Reserves Act 1977 (RA 1977)
- Nelson Resource Management Plan 2006 (under the Resource Management Act 1991) (RMA 1991)

4.4 In brief, areas of non-compliance included:

4.4.1 The presence of long-term occupants at the site (people staying longer than 50 consecutive days; CGR 1985).

4.4.2 Inadequate provision of utilities for all camp users.

4.5 There was also an identified need:

4.5.1 To enact designation as a Relocatable Home Park, to allow long-term occupants to stay at the site for longer than 50 consecutive days (CGR 1985, RA 1977, RMA 1991)

4.5.2 To establish service hubs (dedicated connection points for drinking water and wastewater), for each individual long-term site, if a relocatable home park was established (CGR 1985).

4.5.3 For any relocatable homes to be compliant: a responsibility that sits with the owner of the relocatable structure (BA 2004, BR 1992).

4.6 Subsequently, in the Long Term Plan 2021-31 (LTP), \$510,000 capital expenditure was allocated to remedy these issues for up to fifteen sites, including for the provision of utilities, service hubs and mandatory landscaping, during 2021/22 to 2023/24.

4.7 There was also an assumption in the LTP that the BVHP would be leased from 2023/24 (LTP, p.161). \$84,000 additional operating expenditure was allocated to cover the year 2022/2023 to allow time for urgent compliance work to be completed prior to leasing (LTP, p.35).

4.8 This budget remains allocated to achieve compliance for up to 15 sites; and preliminary work has been undertaken for these capital works (Attachment 1: A2896450).

4.9 An engagement, support and communications programme has also been progressed for long-term occupants, some of whom have lived at BVHP for many years or are socially vulnerable (Attachment 1: A2896450; Attachment 2: A2897351).

### **Designation as a Relocatable Home Park**

4.10 Concurrently, in February 2021, this Subcommittee made recommendations to Council to approve designation as a relocatable home park (under CGR 1985) and proceed with an application for Resource Consent, in particular to address the issue of the non-

complying activity of existing long-term occupancy at BVHP (having people staying longer than 50 days; CGR 1985).

- 4.11 Following these recommendations by the Subcommittee, the following decisions were resolved by Council on 18 February 2021 (CL/2021/013):

Resolved CL/2021/013

*That the Council*

1. *Requests officers to progress discussions on management, compliance and support for occupants of the Brook Camp with Government agencies, iwi, and other parties including the Tahuna Beach Camp and social housing providers, and to report back to the next meeting of the subcommittee; and*
2. *Approves designation of part of the Brook Valley Holiday Park currently permanently occupied as a relocatable home park under the Camping-Grounds Regulations 1985, as shown in Figure 2 (A2568730); and*
3. *Approves seeking consents under clause 11 of the Camping-Grounds Regulations 1985 to the erection or placement of up to fifteen relocatable homes on relocatable home sites at the Brook Valley Holiday Park as shown in Figure 2 (A2568730); and*
4. *Approves lodging an application for resource consent for the non-complying activity of long-term occupation for the whole area at the Brook Valley Holiday Park currently permanently occupied, as shown in Figure 3 (A2568730); and*
5. *Notes that subject to any exemptions granted by Council, any occupant of a relocatable home site will be required to ensure that their home complies with the Camping-Grounds Regulations 1985 and Building Regulations 1992; and*
6. *Notes that any occupant who cannot comply with the Camping-Grounds Regulations requirements for a relocatable home and cannot obtain an exemption from Council may need to remove their accommodation from the camping ground; and*
7. *Consents to the use of the Brook Valley Holiday Park as a camping ground with permanent and temporary personal accommodation including for periods of more than four weeks during the period commencing on 1*

*November in any year and ending 31 March under section 44(1) and (2) of the Reserves Act 1977; and*

8. *Approves continuation of the current support being provided to occupants of the Brook Valley Holiday Park; and*
9. *Agrees that Report R21432, attachments (A2505899 and A2568730) and the decision remain confidential at this time.*

Noonan/Skinner

Carried

- 4.12 Following these resolutions, officers engaged consultants and commenced the Resource Consent process (Attachment 1: A2896450).
- 4.13 The Resource Consent was applied for on 19 March 2021 (consistent with CL/2021/013, resolutions 3 and 4), with further information provided on 18 October 2021 and 22 December 2021, and was granted on 16 February 2022 (Attachment 3: A2843298).
- 4.14 The activity authorised in the Resource Consent sets out the approved provisions that allow for long-term residential accommodation within a relocatable home park at the BVHP (consistent with CL/2021/013, resolutions 2, 3, 4, 5 and 6).
- 4.15 The Subcommittee also used its delegation under the RA 1977 to approve occupancy of longer than four weeks over the summer period, and the continued support for vulnerable occupants at BVHP (CL/2021/013, resolutions 7 and 8).
- 4.16 Taken in whole, the Resource Consent meets the objective to achieve compliance for BVHP (CL/2021/013, resolutions 3 and 4), and provides a frame within which this can be achieved.
- 4.17 A limit on numbers in the Resource Consent was consistent with Resolution 3 above (CL/2021/013, resolution 3), regarding, "seeking consents under clause 11 of the Camping-Grounds Regulations 1985 to the erection or placement of up to fifteen relocatable homes"; however, it is acknowledged that this may not have been the intent of this Subcommittee, due to the resulting Resource Consent requiring that the fifteen sites only be applied to the foreseeable usage of identifiable current occupants.
- 4.18 This gave the effect that no new long-term occupants could join the current cohort.
- 4.19 While technically it is possible to contest this restriction, doing so has the potential for several unwanted outcomes, including further delay to meeting compliance obligations, further uncertainty for current long-term occupants due to the delay, possible denial of the application to increase



numbers, the high likelihood of a need for public notification; and importantly, contesting this restriction may not contribute in a substantial way to either long-term viability or future planning for the BVHP.

- 4.20 It may also be relevant to consider a reputational risk of appearing to have a lack of continuity in organisational and contractor practice, intent or process; and the need for increased budget allocation (beyond current provision for fifteen sites).
- 4.21 The remainder of this report seeks to further examine the impact of this restriction on future viability and scenario development for strategic planning for the BVHP and identify options for a way forward.
- 4.22 It places a high priority on ensuring urgent compliance works can be undertaken as a priority to mitigate the risk of compliance enforcement (Attachment 4: A2896353).
- 4.23 It also places priority on giving certainty to current occupants, by recognising that the cohort of current long-term occupants includes socially vulnerable people (CL/2021/013, resolution 1 and 8).
- 4.24 This report therefore seeks confirmation from this Subcommittee, that Officers can proceed with urgent work to meet compliance as a priority, notwithstanding any intention by this Subcommittee to consider options for a future operating model for BVHP.

## **5. Discussion**

### **Current financial viability of Brook Valley Holiday Park**

- 5.1 The BVHP has required significant ratepayer funded investment for some years. Infrastructure is ageing, and over the past two and a half years, the impacts of COVID-19 restrictions on travel and tourism have added to these concerns.
- 5.2 While the BVHP has notable appeal due to its location, particularly over the summer months, it competes with other high-value camping and holiday park providers. Usage is highly seasonal, likely due to its site being relatively cold, damp and enclosed, so limiting hours of direct sunshine over the winter period. Increasing long-term residential occupation may be regarded as one way to smooth this seasonal fluctuation.
- 5.3 The overall trend in visitor nights indicates falling usage, and signals a risk of increasing costs. For the three months, January to March 2022, there were 714 guest nights.



5.4 Over the same 89 days, long-term occupants (assuming full occupancy for those nights) totalled 1,335 nights.

5.5 The table below includes average revenue for different types of sites at BVHP, over the four years since 2017/2018. This average has been used as it includes both two and a half pre-COVID-19 years and two full seasons reflecting the uncertainty of the current impacts due to the COVID-19 operating environment. It also captures a consistent period of casual usage since this activity was reinstated in 2016, after a two-year pause (R10364; A2505899 available on Sharepoint). The source of this data is attached (Attachment 5: A2895897).

Type of site	Average income, type of site p.a, 2017/18 to 2020/21	Average income per site p.a, 2017/18 to 2020/21	Number of sites 2017 to 2022	Notes:
Short term campsites (all types)	\$99,764	\$1028	97	Currently 112 campsites in total, including 15 allocated to long-term occupants. 8 fewer sites in future (was 97, av. \$1028 p.a.). New total of 89 sites (av. \$1028 p.a, \$91,492), loss of \$8,272.
Long term occupant sites (all types)	\$70,005	\$4667	15	Currently 15 sites (av. \$4667 p.a.). If increased by 8 sites to 23 sites (av. \$4667 p.a, \$107,341) gain \$37,336.
Cabins (all types)	\$17,554	\$830	21	21 cabins in total (av. across all cabin types: \$830 p.a., \$17,554).

5.6 This table shows that based on recent historical data, short term campsites have gained income of \$1,028 per annum on average; long-term occupant sites have gained \$4,667 per annum on average; and the average income across all types of cabins has been \$830 per annum.

5.7 It remains uncertain how long the pandemic and emerging economic, climate and international impacts will continue to affect local and national travel and tourism, and what impacts this may have on BVHP future viability.

## **Impact of the Resource Consent on financial viability**

- 5.8 The approved Resource Consent provides for up to fifteen residents, located across any of 23 sites designated as forming a relocatable home park, with the remaining 89 camping sites allocated for short term occupation (eight within the relocatable area, 81 outside that area) for people staying up to 50 consecutive days (CGR 1985), within the approximately 104 sites of the BVHP as a whole. There are also 21 cabins at BVHP, not included in the discussion below.
- 5.9 It should be noted that site numbers are imprecise, as some sites may be impacted by restrictions identified in the Resource Consent.
- 5.10 It is likely that a new survey and redrafting of sites could provide a more efficient or effective way of utilising the BVHP as a whole. This would also be an opportunity to review compliant use, due to changes in size of some sites (under CGR 1985, RA 1977), as well as to confirm location restrictions are correctly applied to different types of sites under the Resource Consent.
- 5.11 Redesigning (or reconfirming) the overall layout of the BVHP may be a timely and worthwhile undertaking, with the potential for benefit to overall financial returns. For example, this could be undertaken prior to, or in conjunction with, consideration of different models of campground operation. The potential to consider different models of campground operation is discussed in further detail below.
- 5.12 Looking ahead, it is already known that there will be a reduction in sites used for short term camping or allocated to long-term camping, due to a combination of the Resource Consent identifying a set-back zone from the Brook Stream, and an earthquake overlay fault zone identified across a significant area of the BVHP site.
- 5.13 Sites that fall within the earthquake overlay cannot be used for long-term occupants, due to the increased risk to individuals, both because of their time spent at the site (increasing personal likelihood of being on a fault hazard area at the time of any quake event), and the likelihood of long-term occupants residing in structures more substantial than lightweight tents or other short term holiday structures. These sites may still be used for short term occupancy, such as holiday camping.
- 5.14 Meeting compliance for the set-back from the Brook Stream also reduces the future number of short-term campsites by eight to 89. This would impact revenue by a reduction of approximately \$8,272 per annum (based on average returns of \$1,028 per annum per site).
- 5.15 Based on current and recent historical data these impacts are not of themselves substantially significant to financial viability within the current operating model of BVHP, as shown in the table below. The source of this data is attached (Attachment 5: A2895897).

Account	Full Year Actuals 2017/18	Full Year Actuals 2018/19	Full Year Actuals 2019/20	Full Year Actuals 2020/21	YTD Actuals	AP 2022-23 Year1 (2022/23)	LTP 2021-31 Final Year3 (2023/24)
4062 Brook Camp	10,081	12,326	10,312	16,214	141,885	0	0
<b>Income</b>	<b>(578,279)</b>	<b>(616,571)</b>	<b>(555,449)</b>	<b>(795,075)</b>	<b>(386,743)</b>	<b>(881,697)</b>	<b>(297,655)</b>
Rates Income	(342,470)	(356,066)	(245,104)	(599,792)	(241,592)	(657,510)	(262,840)
Other Income	(235,809)	(260,505)	(310,345)	(195,283)	(145,151)	(224,186)	(34,815)
<b>Expenses</b>	<b>587,690</b>	<b>628,228</b>	<b>568,584</b>	<b>811,288</b>	<b>528,628</b>	<b>899,238</b>	<b>317,417</b>
<b>Sources of Funds</b>	<b>(11,142)</b>	<b>(27,366)</b>	<b>(5,943)</b>	<b>(69,056)</b>	<b>(78,987)</b>	<b>(374,971)</b>	<b>(74,927)</b>
<b>Capital Expenditure</b>	<b>11,811</b>	<b>28,035</b>	<b>3,121</b>	<b>69,056</b>	<b>78,987</b>	<b>357,431</b>	<b>55,164</b>

- 5.16 Looking further ahead, there is also the unplanned limit on numbers of long-term occupants in the Resource Consent provision. This means that no new long-term occupants can join the current cohort, and indicates that revenue from this type of site would reduce over time.
- 5.17 Fees from long-term occupants currently average \$70,005 per annum in total, based on average returns, as above.
- 5.18 It is not possible to reliably predict the impact of a reducing number of long-term occupants on financial viability. It may be possible to develop loosely indicative scenarios based on the current model of camp provision, such as an assumption that over the coming thirty years, the number would reduce to few or no long-term occupants. The pattern or timing of this attrition could not be reliably predicted. Using the averages in the table above, it can be predicted that income from this source would reduce over time.
- 5.19 Such predictions assume the current operating model would continue, with a negative impact on financial viability. However, under a different model, a reducing number may be seen as a benefit or unproblematic; or could signal the beginning of a new expanded provision for long-term occupancy, for example. To consider a range of innovative options, that include provision of long-term occupancy may well require input from organisations or operators external to Council, who could view this type of occupancy within a wider operating or value proposition. This is discussed in further detail below.

### **Is increasing the number of sites in the relocatable home park a good option?**

- 5.20 Some discussion at previous Subcommittee meetings has centred on the possibility of increasing the number of sites used for long-term occupation, in the area allocated under the Resource Consent as a relocatable home park. At face value, this could potentially increase the number of long-term occupants by eight: a total equal to the number of

sites identified in the Resource Consent, within which the fifteen current long-term occupants can reside.

- 5.21 As a result, this could also increase revenue gained from those sites by \$37,336 per annum, assuming 100% occupancy. This figure is indicative, based on average occupancy and return since 2017/18, as shown in the table above.
- 5.22 To achieve this return under the current operating model, there would need to be significant additional investment in the short term. Anticipated costs could include, for example, contesting the Resource Consent (contractor fees, seeking additional geotechnical information, legal fees, staff time, communications and public notification); and further unbudgeted investment in infrastructure to provide facilities and service hubs for the additional eight sites.
- 5.23 Increasing the number of long-term occupants may also have less easily quantifiable but socially impactful costs. It is recognised that current occupants include socially vulnerable people. While there is a strong sense of community at the camp, there are also the complexities of any community, and perhaps to some degree more-so for some of the occupants. The ongoing work of Council's engagement specialist is testament to this complexity.
- 5.24 While speculative, the nature of such accommodation being less expensive than conventional housing, may indicate that occupants with similar (or even more complex) needs may choose to live at BVHP. With increased vulnerabilities, it could be an imperative for Council to also provide aspects of a 'social hub' environment to provide additional support, community resilience and a socially supportive environment for new and existing long-term occupants. While this carries unknown costs, to not do so may also carry cost, including reputational. For example, under a best-practice model, it may be appropriate to designate different areas of the campground to different occupant needs (families in one area, older people or singles in another), and that may not be possible within the relatively small area of BVHP.
- 5.25 To increase numbers without increasing support could be viewed as solely a financial decision, rather than a consciously social approach. If an increase to eight sites were viewed in this way, or if any problems arose, it could reflect poorly on Council, despite the best of intentions.
- 5.26 It may also be that new residents have the same or lower needs but bring higher expectations of facilities, and to meet that market could also require unanticipated investment.
- 5.27 There is significant risk (and difficulty in predicting) that any positive impact on revenue, due to an increase of an additional eight sites under the current operating model, is likely to be substantial enough in the near term to offset expenses, nor to meet Councils Revenue and Financing Policy measures, were these to be applied to the BVHP as a standalone camping activity.

## BVHP does or does not meet Council’s Revenue and Financing Policy?

- 5.28 Council’s Revenue and Financing Policy (R&FP) is consulted on and approved concurrently with the LTP (LTP, pp. 262-294).
- 5.29 The current R&FP classifies revenue targets based on the activity of campgrounds as a whole, across all three camps, as shown in the tables below (LTP, pp. 284-285). For campgrounds, this split is intended to indicate that this activity is a business for Council, and that while the whole community, tourism providers and the local economy benefits from campgrounds, the greater benefit can be attributed to specific individuals (compared, for example, to footpaths that are shared by all and provide a collective, non-identifiable benefit).

Activity	Who benefits (User / Beneficiary pays principle, public good theory)	Period of benefits (intergenerational equity principle)	Whose actions or inactions contribute (Exacerbator / polluter pays principle)
Motor Camps	<p>Visitors to the City benefit from affordable camping facilities and other accommodation options. The Motor Camps also offer semi- permanent low-cost residential options.</p> <p>Businesses benefit from the attraction of visitors who can stay overnight due to the availability of a range of accommodation for residents and visitors.</p> <p>The whole community benefits from providing serviced camping spaces and not having visitors camping illegally and generating litter and pollution issues.</p>	Short to long term.	None

Costs and benefits of separate funding	Funding sources	Funding rationale	Funding targets adjusted for community affordability
This activity is operated as a business and funding is separate from core Council operations.	<p>General rates</p> <p>Fees and charges</p> <p>Borrowing</p>	Motor Camps are provided to allow campers and other visitors to stay in the City. While the whole community, and businesses in particular, benefit from this, the users of the motor camps gain the most benefit. These facilities use reserve land but are operated as a business. Funding is largely from user charges and the balance is from general rates. Any surplus funds can be used to reduce the general rate requirements.	<p>Private 90-100%</p> <p>Public 0-10%</p>

- 5.30 As shown in the table above, the R&FP identifies an intended revenue split between Private sources (Fees and charges) at 90-100%, and Public sources (ratepayers through General rates) of 0-10%.
- 5.31 Campgrounds collectively are near to meeting this funding target, across the three camps as an activity (Attachment 6: A2897356). However, for

the BVHP the split does not meet the funding target, as shown in the table below.

- 5.32 Disregarding 2019/20, which shows an artificially high percentage of revenue from users (due to \$83,000 in fees being paid by CDEM for urgent housing during the first COVID-19 lockdown), the usual contribution percentage from users ranges from 25% to 42%, with rates revenue making up the balance.

4062 Brook Camp	Full Year Actuals 2017/18	Full Year Actuals 2018/19	Full Year Actuals 2019/20	Full Year Actuals 2020/21	YTD Actuals	AP 2022-23 Year1 (2022/23)	LTP 2021-31 Final Year3 (2023/24)
Percentage User	41%	42%	56%	25%	38%	25%	12%
Percentage Rates	59%	58%	44%	75%	62%	75%	88%

- 5.33 There is an opportunity under the R&FP to consider the benefits that an activity brings to the wider community. These may fall, for example under principles guided by a public good theory or a merit goods theory. It may be that when the R&FP is next reviewed and publicly consulted on, that there is an opportunity to redesignate how this public good or merit should apply to the BVHP, through a change to the expected balance of revenue sources in the policy. The next time the R&FP would be adopted is mid-2024.
- 5.34 In the meantime, this Subcommittee could note its expectation or acceptance of the BVHP's ability to meet these targets, as a standalone activity.

### **Balancing values, responsibilities, and financial viability**

- 5.35 It is apparent that throughout discussion by this Subcommittee there is an evident genuine concern for the future of long-term occupants at BVHP, as reflected in Council resolutions (CL/2019/004, resolution 2; CL/2021/013, resolution 1 and 8).
- 5.36 To this end, Officers have worked to ensure responsive and effective communication, support and engagement has been in place for long-term occupants. This has included working alongside contractors and support agencies, including responding directly to occupants, to reassure, provide advice, and provide coordination with those agencies and funders. The intention has been to inform long-term occupants of progress towards establishment of the relocatable home park, convey any changes to their status, and provide options for achieving their compliance obligations (Attachment 5: A2895897).

- 5.37 Current long-term occupants were also advised by letter in mid-2021 of steps to be taken to meet their compliance obligations, so that they could remain at the BVHP long-term.
- 5.38 These resolutions and the effect given to them by Officers and contractors signal a value proposition and responsibilities that may not easily align with financial viability under the current operating model. They do, however, signal a commitment towards compliant provision for current long-term occupants.

### **Should Council contest the Resource Consent?**

- 5.39 There has been significant discussion by this Subcommittee regarding whether Council should contest the Resource Consent.
- 5.40 Options regarding this, including detailed means and methods to achieve this, were covered in a previous report to this Subcommittee that was returned to Officers (R26761).
- 5.41 Sometimes, when a clear decision isn't apparent it is because the question being asked doesn't provide a pathway towards the answer being sought. This is more likely in a situation with significant complexity. This may apply to this situation, where there is a need to find a path forward for BVHP, particularly related to urgent compliance, long-term planning and viability, while balancing the needs of long-term occupants, increasing reliance on ratepayer funding and the recently issued Resource Consent.
- 5.42 It therefore may not be relevant, or in the Council's or the long-term occupants best interest, to focus on weighing the best options to contest the Resource Consent. This has greater significance if the longer-term purpose or objectives for BVHP could be compromised by being limited to only those options available through contesting the Resource Consent as it is currently stands or is applied.
- 5.43 An alternate proposition could be found by looking at longer term opportunities or a new model of campground delivery. This could be an effective strategy due the significant complexity surrounding BVHP at present.
- 5.44 To work towards compliance now does not restrict Council's opportunity to apply for a new forward-looking Resource Consent for the most suitable model for future delivery. Contesting the Resource Consent now could turn out in future to have been a compromise.
- 5.45 It should also be noted that the current Resource Consent was retrospective in application, by applying to the occupancy of more than 50 days for the fifteen current long-term occupants. It could be regarded as a measure of success that a compliant future for these fifteen occupants has now been secured. In effect, contesting this Resource Consent is to request a new and additional consideration in extension of the current model of long-term provision.



- 5.46 Additionally, as noted above, there are significant unbudgeted costs to extend the provisions under the approved Resource Consent. There is also a significant risk that, if not approved, contesting the Resource Consent may not result in any increase in long-term occupancy based on the current model of delivery. This indicates a risk that an application now could limit future opportunities.
- 5.47 In terms of perception, demonstrating a willingness and promptness to comply now could aid a future favourable outcome in any future applications.

### **Facing down non-compliance**

- 5.48 There has also been some discussion regarding options for continuing in a state of non-compliance or awaiting a formal legal challenge before undertaking the work specified in the Resource Consent, as approved.
- 5.49 This presents a significant conflict for Council, as a unitary authority that must also act as its own regulator.
- 5.50 This places Officers, including the Chief Executive, in an unusually difficult position, as any delay to compliance with the Resource Consent, requires that Officers who report to other committees must demand action, or account for their reluctance to do so. Those Officers equally have an obligation to be compliant with their duties as responsible officers undertaking enforcement of legislation and mandatory regulations. At the same time, Officers reporting to this Subcommittee are responsible for operations that do not meet basic compliance obligations.
- 5.51 As well as the untenable position that this places upon Officers, to face non-compliance or to delay undertaking actions regarding compliance could have substantial costs, including tangible costs, such as legal fees (for both sides, as regulator and defender), and less tangible costs, such as community disapprobation or reputational risk, as well as call into question the equitable application of regulations or need for compliance by other organisations.
- 5.52 While there is some possibility that the regulatory arm of Council may also view the risks above as too great to enforce compliance, there is a risk that being unable to find a collaborative solution could reflect poorly on an otherwise successful model of unitary governance.
- 5.53 At the same time, current long-term occupants do have an entitlement to expect that facilities, service hubs and the sites for their relocatable homes will be compliant with legislation and safety regarding known hazards at the site.

### **What might the future look like for BVHP?**

- 5.54 Much speculation about the future of BVHP has centred on the use and purpose of the BVHP within the known operating model.

- 5.55 The known operating model includes destination camping for up to 50 days, alongside provision for fifteen long-term occupants, at a site that provides a gateway to one of the regions 'jewel in the crown' signature tourism, education and environmental offerings, the Brook Waimarama Sanctuary, and the tracks and experiences nearby.
- 5.56 BVHP is also a site with ageing infrastructure and facilities that are no longer modern; but benefits from a high value proposition environment that gives a strong sense of its nature-focussed setting. Its location has cultural, heritage and recreation values, and it provides a relatively affordable option for visitors, tourists or travellers to stay, and for its long-term occupants to reside.
- 5.57 A summation of these attributes was captured during one of two Campgrounds Vision briefings held in June and October 2021. At the October 2021 briefing, this was expressed through a statement about both the BVHP and Maitai Valley Motor Camp:
- 5.57.1 Our Brook and Maitai Valley campgrounds (or reserves) serve as waharoa/gateways for sustainable camping and outdoor recreation that enhances wellbeing.
- 5.58 These attributes recognise the high perceived value of BVHP within the region. However, BVHP is an expensive operation within Council's portfolio of activities, which currently provides less-than-ideal value to ratepayers and users, especially when considering the significant annual investment required, through rates and loan funding.
- 5.59 BVHP is clearly also a site in which there is an emotional investment for some, and a need for respect and dignity for long-term occupants, who have lived with considerable uncertainty regarding their homes over recent years. Under the current operating model and current Resource Consent conditions, at some point in the future the number of long-term occupants will reduce, and the mix of people who call BVHP home will begin to change.
- 5.60 When a business proposition is no longer financially viable, or predicted to no longer be viable under its current operating model, a prudent approach would be to revisit that model and look for new opportunities based on the benefits of the proposition; and to not assume that current disadvantages are not seen to have value by others.
- 5.61 With this in mind, one pragmatic way forward would be to investigate externally how the value proposition of BVHP can be understood or reimaged.
- 5.62 The BVHP is an area with attributes that can meet a quadruple bottom line, by connecting qualities that are cultural, economic, environmental and social. How these could be perceived by an organisation or operator external to Council is unknown. This combination of attributes is sufficient to suggest that testing a market response to future operation

of BVHP would be worthwhile, and timely, given Council's intention to lease the BVHP in future.

- 5.63 It is therefore recommended that this Subcommittee place a priority on exploring the market potential for an external operator at this time, in preparation for leasing, and to do so with the assumption that there could be feedback that could inform future models for financial viability, including if needed, a future Resource Consent application. This could ensure that leasing takes place by 2023/24, using funds allocated to cover this purpose in 2022/23.
- 5.64 At the same time, it is recommended that this Subcommittee move forward with meeting compliance obligations under the current Resource Consent, in preparation for a new model of campground delivery. This will ensure that urgent compliance works can be undertaken as a priority and mitigate the risk of compliance enforcement, as well as support Officers to meet their compliance obligations.
- 5.65 This Subcommittee can provide vital guidance regarding the attributes that it would expect of any operator and has extensive knowledge regarding the characteristics of the site, qualities and values that a new model could seek to deliver.
- 5.66 Speculatively, it is known that many organisations seek to deliver a social value proposition through their business model, and the current relocatable home park may well fit within this model. There are also several nearby experience providers that may have an interest in linking with BVHP, existing operators in other regions that may want to add a 'next stop' for customers to their portfolio; or there may be a social housing provider that sees potential and alignment with Council objectives.
- 5.67 The potential for these organisations or operators to come forth and indicate how a value proposition would work for them can only occur by seeking external expressions of interest. At the same time, this exploration would provide a sound method to test genuine financial viability, and innovative solutions to the complexities of BVHP provision and future.
- 5.68 Analysis of these options is further detailed in the tables below.

## **6. Options**

### **Meeting compliance obligations**

- 6.1 This Subcommittee can opt to comply with compliance obligations under the current Resource Consent for the BVHP; choose to not comply and respond to any compliance enforcement in the future; or opt to not accept the Resource Consent provisions and seek a way to challenge those. Meeting urgent compliance obligations still allows Council to seek a Resource Consent for a new model of operating in the future.

6.2 To meet compliance obligations for the Resource Consent includes reviewing sites and locations, updating the campground map to include the relocatable home park sites, working with long-term occupants to achieve their compliance, and completing required changes and construction of utilities and service hubs.

**Working towards a new operating model**

6.3 This Subcommittee can opt to 'test the market' and investigate external interest in a new operating model for BVHP; or it could choose to remain as operator for the foreseeable future.

6.4 To investigate interest in a new operating model contributes to the assumption that BVHP will be leased by 2023/24, as indicated in the LTP.

<b>MEETING COMPLIANCE OBLIGATIONS</b>	
<b>Option 1: Undertake work to comply with the Resource Consent (recommended option)</b>	
Advantages	<ul style="list-style-type: none"> <li>• Ensures that urgent compliance work occurs as a priority, without delay.</li> <li>• Meets the expectations and provisions of the Resource Consent as granted.</li> <li>• Utilises budget already allocated to this purpose and does not require additional ratepayer or loan funding.</li> <li>• Ensures Council meets its compliance obligations under legislation (CGR 1985, BA 2004, BR 1992, RA 1977, RMA 1991)</li> <li>• Avoids placing Council Officers and colleagues in the difficult position of either having to enforce compliance or being unable to comply.</li> <li>• Does not draw attention to any lack of continuity in practice, intent or process.</li> <li>• Gives certainty to long-term occupants.</li> <li>• Does not limit the options available in future.</li> <li>• Can be completed without the possibility of public notification.</li> <li>• Enables future planning to progress.</li> <li>• Does not prevent a future application for additional long-term occupancy.</li> <li>• A timely response now may be viewed positively in future applications.</li> </ul>

	<ul style="list-style-type: none"> <li>• May be combined with a new survey and redrafting of sites, which could inform future financial viability.</li> <li>• Does not assume a reduced number of long-term occupants will have a negative impact on financial viability for a future operating model and recognises there may be a benefit.</li> <li>• Is consistent with the support and advice given to long-term occupants, who have been advised by letter that this process is being undertaken.</li> <li>• Work can immediately commence to progress compliance.</li> <li>• Can engage with long-term occupants needing to relocate, reducing uncertainty</li> <li>• Provides opportunity to formalise new occupation agreements in relocatable home park.</li> <li>• Would continue to provide current reliable income to the camp while the operating model is reviewed.</li> </ul>
Risks and Disadvantages	<ul style="list-style-type: none"> <li>• The opportunity to test whether the Resource Consent could be extended to an additional eight people would be set aside for now.</li> <li>• The unintended limit on numbers in the relocatable home park would have to be accepted and forgiven.</li> <li>• There could be additional costs in future that could be absorbed now.</li> <li>• May not lead to long-term financial viability unless a new model of operating is identified.</li> </ul>
<b>Option 2: Do not comply with the Resource Consent and respond to any compliance enforcement in the future</b>	
Advantages	<ul style="list-style-type: none"> <li>• Provides a 'wait and see' approach.</li> <li>• Tests whether the Regulator would take action.</li> <li>• Allows time to look at longer term opportunities or a new model of campground delivery before other decisions are made.</li> </ul>
Risks and Disadvantages	<ul style="list-style-type: none"> <li>• May not contribute in a substantial way to either long-term viability or future planning for the BVHP.</li> <li>• Does not respond to or mitigate falling visitor numbers.</li> </ul>

	<ul style="list-style-type: none"> <li>• Contesting the Resource Consent now could turn out in future to have been a compromise.</li> <li>• Occupants have been provided with support and advice that this process is being undertaken.</li> <li>• Long term occupants have a right to a compliant and safe environment.</li> <li>• Places Officers, including the Chief Executive, in an unusually difficult position.</li> <li>• Could incur costs, such as legal fees (for Council as both regulator and defender).</li> <li>• Could incur community disapprobation or reputational risk.</li> <li>• Call into question the equitable application of regulations or need for compliance by other organisations.</li> <li>• Places into question, the ability for a Unitary Authority to carry out its obligations.</li> <li>• Work to progress compliance with the Resource Consent is delayed or halted while waiting to see what happens.</li> <li>• Risk that the timing of enforcement action could be problematic, particularly during or soon after an election year.</li> <li>• Inconsistent with previous Council decisions</li> <li>• Causes ongoing uncertainty for long-term occupants about their future.</li> </ul>
<b>Option 3: Do not accept the Resource Consent provisions and identify a way to contest</b>	
Advantages	<ul style="list-style-type: none"> <li>• Acts on the assumption that a reduced number of long-term occupants will have a negative impact on financial viability for any operating model.</li> <li>• Provides a way to address the unplanned limit on numbers of long-term occupants.</li> <li>• Could potentially increase the number of long-term occupants by eight.</li> <li>• Could provide low cost living for eight more people.</li> <li>• Could increase revenue by \$37,336 per annum, assuming 100% occupancy.</li> </ul>

	<ul style="list-style-type: none"> <li>• Could better align BVHP with the revenue objectives for the Camps activity as a whole under Council's R&amp;FP.</li> </ul>
<p>Risks and Disadvantages</p>	<ul style="list-style-type: none"> <li>• Would cause further delay to meeting compliance obligations.</li> <li>• Could create further uncertainty for current long-term occupants due to the delay.</li> <li>• The application to increase numbers could be denied.</li> <li>• There is a high likelihood of a need for public notification.</li> <li>• Contesting this restriction may not contribute in a substantial way to either long-term viability or future planning for the BVHP.</li> <li>• There may be a reputational risk of appearing to have had a lack of continuity in organisational and contractor practice, intent or process.</li> <li>• There would be unbudgeted costs (eg: legal fees, geotechnical, communications, staff time, public notification, utilities, service hubs for additional sites).</li> <li>• Costs would outweigh financial returns, particularly in the short term.</li> <li>• Capital expenditure would be loan funded.</li> <li>• Reputational risk that decisions are financially led not socially led if costs of providing a well-considered social environment are not met.</li> <li>• New occupants could have higher expectations of facilities, which require unanticipated investment.</li> <li>• It may not be the best way forward, as dealing with other complexities at the same time can make a clear decision more difficult.</li> <li>• Could limit the options available in future.</li> <li>• Is a new and additional consideration to the retrospective purpose of the approved Resource Consent.</li> </ul>

**REVIEWING THE OPERATING MODEL**

**Option 1: Explore opportunities for a new operating model for BVHP, based in its value proposition and a quadruple bottom line (recommended option)**

Advantages

- Could be combined with a new survey and redrafting of sites.
- Would allow this Subcommittee to consider a range of innovative options for future operating models.
- A reducing number of long-term occupants may be repositioned as a benefit or unproblematic.
- Alternately, could signal the beginning of a new expanded provision for long-term occupancy.
- Encourages input from organisations or operators external to Council.
- Could reposition long-term occupancy within a wider operating or value proposition.
- Provides an opportunity to reconsider and reposition the high value attributes of the BVHP, its characteristics and location.
- A partnership could bring or add financial viability to improving ageing infrastructure and facilities that are no longer modern.
- Could confirm BVHP as a gateway area for sustainable camping and outdoor recreation that enhances wellbeing.
- Provides an opportunity to reconfirm (or rebuild) the high perceived value of BVHP within the region.
- Could lessen the burden of an expensive operation within Council's portfolio of activities.
- Provides a way to move forward, towards leasing BVHP by 2023/24.
- Allows for a business model that integrates principles based in a quadruple bottom line.
- Acts now, while funds are allocated to cover preparation time needed to lease BVHP in 2022/23.
- May provide a new and innovative solution to a complex challenge.

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Risks and Disadvantages	<ul style="list-style-type: none"> <li>• May require future investment as part of a partnership or lease agreement.</li> <li>• May end up with few or no sound propositions and need to revisit models of viable delivery under Council operation.</li> <li>• Potential interest in a future lease may be limited or delayed.</li> </ul>
<b>Option 2: Do not explore opportunities for a new operating model for BVHP</b>	
Advantages	<ul style="list-style-type: none"> <li>• Allows Council to continue to look at operating models within its own resources.</li> <li>• Allows Council to have continued oversight and an operating model that it is familiar with.</li> </ul>
Risks and Disadvantages	<ul style="list-style-type: none"> <li>• There could be unknown costs to a new partnership for campground delivery.</li> <li>• Potential interest in a future lease may be limited or delayed.</li> </ul>

## 7. Conclusion

- 7.1 These decisions present considerable complexity towards finding a path forward for BVHP, particularly related to urgent compliance, long-term planning and financial viability, while balancing the needs of long-term occupants, increasing reliance on ratepayer funding and a recently issued Resource Consent.
- 7.2 A need to move forward has been signalled for some time, and will provide certainty for Council Officers, long-term occupants, their supporters and community, as well as for this Subcommittee.

## 8. Next Steps

- 8.1 The Resource Consent as it stands allows Officers to progress the next stages towards compliance.
- 8.2 Officers would continue to report on progress to this Subcommittee.
- 8.3 Officers and contractors would continue to provide communications, engagement and support for long-term occupants throughout this process.
- 8.4 Officers would work with suitably qualified colleagues or contractors to progress the process for seeking external expressions of interest in a new operating model.

**Author: Tanya Robinson, Strategic Adviser Community Services**

**Attachments**

- Attachment 1: A2896450 - BVHP Timeline for compliance 26May2022
- Attachment 2: A2897351 - CONFIDENTIAL Update on Additional Activities Undertaken Towards Compliance 23May2022
- Attachment 3: A2843298 - Resource Consent Decision granted to Nelson City Council for Brook Valley Holdiay Park Decision 16Feb2022
- Attachment 4: A2896353 - Email from Clare Barton - Brook Camp - Need to make progress to rectify non-compliances - 19May2022
- Attachment 5: A2895897 - Brook Campground Budget Overview 2019- 2022
- Attachment 6: A2897356 - Campgrounds Revenue and Financing Policy measures 23May2022

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## **Important considerations for decision making**

### **Fit with Purpose of Local Government**

Proceeding with the recommendations in this report will enable compliance matters to be addressed and Council to meet legislative requirements.

### **Consistency with Community Outcomes and Council Policy**

Making the Brook Valley Motor Camp compliant with legislative requirements is consistent with several community outcomes, including:

- Our infrastructure is efficient, cost effective and meets current and future needs; and
- Our communities are healthy, safe, inclusive and resilient.

### **Risk**

Progressing with the recommendations represents a low risk as Council will meet compliance obligations.

### **Financial impact**

Budget has been allocated in the Long Term Plan for capital expenditure and operational costs while working towards a lease by 2023/24.

### **Degree of significance and level of engagement**

This matter is of low significance because the BVHP is not a strategic asset. Direct engagement will occur with the long-term occupants who will be impacted by compliance obligations. Any decisions regarding a future operating model would be conveyed in the context of that work.

### **Climate Impact**

This decision will have no impact on the ability of Council to proactively respond to the impacts of climate change now or in the future.

This decision is unlikely to result in significant greenhouse gas emissions.

Future capital investment could consider greenhouse gas emission reductions, such as installation of solar power through the Property and Facilities' Activity Management Plan and any lease agreement requirements for capital investment.

### **Inclusion of Māori in the decision making process**

Iwi engagement via Te Ohu Taiao has taken place and a cultural impact assessment has been prepared as a requirement for the resource consent application.

## **Delegations**

The Strategic Development and Property Subcommittee has the following delegations to consider Campgrounds:

*Areas of Responsibility:*

- *Campgrounds*

*Powers to Recommend (if applicable):*

- *All other matters within the areas of responsibility or any other matters referred to it by Council*

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BROOK VALLEY HOLIDAY PARK TIMLEINE WORK UNDERTAKEN TOWARDS COMPLIANCE at 20 May 2022		
Action	Start date	Expected completion date
Confirmation to engage with occupants from AD&P Subcommittee	20 April	Status at 20 May 2022 Continues ongoing. Emailed approval received from Chair (20/05/22). SD&P Subcommittee still to formally approve.
Engage with long-term occupants who need to relocate or move back living structures 5m from Brook Stream due to consent conditions – get agreement from long-term occupants to move to allocated sites, find out what support long-term occupants need to relocate or move structures	28 April	6 May Continues ongoing as above. All occupants impacted have been in discussions. Another meeting scheduled for next week.
Long-term occupants relocate/move	28 April	1 July This is on track as best as can be given some high needs occupants and complexity of them emotionally being ready to relocate.
Final design service hubs and BC application completed once location of 15 sites finalised	6 May	30 May (awaiting confirmation from WSP) BC is being prepared. Expecting to be approved by 30 June now.
BC granted		30 June (very dependent) As above
Service hubs installation for 15 long-term sites	Estimate 1 August (dependent on BC and design time lines)	6 weeks Dates are uncertain as Council only allocated funding for 15 sites, so cannot finalise this until the 15 occupants agree to their site allocation. It would require further funding to allocate hubs for 23 sites. Expected to be over 6 months away, due to need for final design to be added to BC, then processing time for BC.
F Block portacabin replacement ablutions (2 X accessible) BC application	Application underway	BC application to be submitted early June.
BC granted for F Block accessible bathroom units		BC expected to be granted by 30 June.
Installation of F Block replacement portacom bathrooms	1 August dependant on BC	Installation expected in August
Campground certificate applied for in full without exemption for RHP		1 August 2022 Dependant on above.

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16 February 2022

PO Box 645 Nelson 7040  
Phone: 03 546 0200  
Fax: 03 546 0239

Nelson City Council  
C/- Beca  
191 Trafalgar Street  
PO Box 242  
NELSON 7010

Resource Consent Number: RM205274  
Contact: Jane Hilson  
DD: 027 233 0280  
Email: [jane@planscapes.co.nz](mailto:jane@planscapes.co.nz)  
[www.nelson.govt.nz](http://www.nelson.govt.nz)

Attn: Jennifer Rose

Tēnā koe Jennifer

**Resource consent is granted**

Please find attached your resource consent, granted pursuant to Section 113(4) of the Resource Management Act 1991 ("the Act").

Please ensure you read the conditions of your consent carefully before you commence your activity. Some conditions may require you to carry out specific actions before you start. You may also need to obtain other permits or building consents before commencing your activity.

Once the final processing costs are determined an invoice will be sent out or you will be contacted if there is a refund of any fees.

If you have any questions regarding any aspect of your consent or its conditions, please don't hesitate to contact me.

Ngā mihi nui

Jane Hilson  
**Consultant Planner**

RM205274

Notice of Decision

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## RESOURCE CONSENT DECISION

### Resource Consent number RM205274 is granted to:

Nelson City Council

### The activity:

To authorise long term residential accommodation within a relocatable home park at the Brook Valley Holiday Park (retrospective consent)

### Location details:

Address of property: 600 Brook Street, Nelson

Legal description: Sec 6 SO 498803

Record of title: 53911 0/786619 0/786

### Lapse date:

Your consent will lapse on 16 February 2027 unless you have given effect to it before then (section 125 of the Act).

### Duration of Consent:

Your consent will expire on 16 February 2037, **15 years** from the date of consent (section 123(b) of the Act).

### CONDITIONS

1. The activity shall be carried out in accordance with the application lodged with Council on 19 March 2021, the further information 18 October 2021 and 22 December 2021, the attached RM205274 Plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, RM205274.

**Note:** Failure to notify the Council as stated in the above condition may result in enforcement action.

**Note:** A monitoring charge of \$162 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.



3. Long-term living occupation under this consent shall be limited to those 23 sites shown in yellow on Plan A attached to and forming part of this consent ('the relocatable home park), to a maximum of 15 single sites occupied by relocatable homes at any time.
4. Within 15 working days of this consent being granted, the Consent Holder shall provide to Council's Monitoring Officer in writing the names of those existing permanent residents within Brook Valley Holiday Park to whom this consent relates. When these persons cease their long-term living at this site, they shall not be replaced by new residents.

**Note:** *This condition has been volunteered by the Consent Holder. This consent is subject of a "sinking lid" approach, such that as the 15 existing long-term living occupancies cease they shall not be replaced by new permanent occupants within the relocatable home park.*

5. Each site within the relocatable home park shall be provided with a service hub that allows for connection of the relocatable homes to the Council's reticulated wastewater and water supply. All relocatable homes must connect to this, unless occupants are solely using the communal kitchen and ablution facilities within the Brook Valley Holiday Park in which case an exemption must be obtained under the Camping Ground Regulations.
6. No buildings or permanent occupation shall be permitted in the *Proposed Fault Avoidance Zone* or *Brook Stream Setback* as shown on BECA drawing titled 'Brook Stream Set back and Fault Avoidance Zone' Drawing No. GIS-4293304-01 dated 21 December 2021, shown in Plan A attached to and forming part of this consent. There shall also be no occupation or structures within the Brook Stream Setback that would impede pedestrian access for other users of the Brook Valley Holiday Park or the general public within this riparian margin.
7. The Consent Holder shall monitor for scour of the Brook Stream river-bank adjoining the relocatable home park, and shall respond accordingly to ensure that the setback subject of Condition 6 continues to be complied with.
8. All homes subject of this consent shall be designed to be relocatable. They shall only be fixed to land by virtue of being connected to services. They are not to be fixed to land by way of any building foundation fixture that would otherwise require a building consent.
9. The Consent Holder will take all necessary steps to add the Brook Waimarama Stream to Council's Cultural Health Indexing programme, to measure the effects of the activities on the Taioa.

**Note:** *This condition has been volunteered by the Consent Holder.*

10. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:

- (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
- (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
- (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

#### ADVICE NOTES

1. Conditions of this consent have been imposed pursuant to Section 108 of the Act.
2. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
3. In the event of Maori archaeological sites (e.g. shell midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga) or koiwi (human remains) being uncovered, activities in the vicinity of the discovery shall cease. The Consent Holder is advised that they are required to notify the appropriate iwi groups and Heritage New Zealand Pouhere Taonga Central Regional Office (phone 04 494 8320), and shall not recommence works in the area of the discovery until the relevant approvals to damage, destroy or modify such sites have been obtained.
4. The Applicant has advised that Nelson City Council will be developing a Wildfire Management Plan (WMP) for the Brook Valley Holiday Park, and this will include the relocatable home park. This proposal does not of itself generate the need for the WMP so it is not imposed as a condition of consent.
5. Any relocatable home, such as a house bus or caravan, which is moved to and from the site will need to be roadworthy and have a current registration and warrant of fitness or certificate of fitness to travel on the road, unless it is transported as a load on a suitable truck or trailer.
6. Any relocatable home which is transported to or from the site will need to comply with the vehicle dimensions and mass rule, including any applicable "over dimension" requirements. This may entail obtaining over dimension permits and/or approved traffic management plans."
7. Development Contributions will be payable in accordance with NCC's Development Contributions Policy 2021, unless the consent holder is successful in an application for an exemption from these.
8. This resource consent authorises only the activity described above. Any matters or activities not consented to by this consent or covered by the conditions above must either:
  - (a) comply with all the criteria of a relevant permitted activity in the Nelson Resource Management Plan (NRMP) and the Nelson Air Quality Plan (NAQP); or
  - (b) be allowed by the Resource Management Act 1991; or

(c) be authorised by a separate resource consent.

**Note:** *Small-scale solid fuel burning appliances are a prohibited activity at this site under Rule AQR.24 in the Nelson Air Quality Plan.*

8. This consent is granted to the Consent Holder, but Section 134 of the Act states that such land use consent "attach to the land", and accordingly, may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to "Consent Holder" in any conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent, as there may be conditions that are required to be complied with on an ongoing basis.
9. The Consent Holder should note that this resource consent does not override any registered interest on the property title.
10. Section 357A of the Act provides you with the right to lodge an objection with the Council in respect of this decision and/or any associated conditions. Section 357B provides a right of objection to any additional charges. Any objection must be made in writing setting out the reasons for the objection and be lodged with the Council within 15 working days of receiving this letter. The administration cost for an objection under section 357A is a fixed fee of \$320.00 (GST inclusive).
11. In addition to objection rights section 120 of the Act provides you with the right to lodge an appeal with the Environment Court in respect of this decision and/or any associated conditions. Section 121 of the Act requires that any such appeal must be made in the prescribed form, must state the reasons for the appeal, the relief sought, state any matters required by regulations and must be lodged with both the Environment Court and the Council within 15 working days of receiving this letter.

## DESCRIPTION OF PROPOSAL

The applicant seeks resource consent to use an area of the Brook Valley Holiday Park ('BVHP') for long-term occupation purposes, within a relocatable home park.

The purpose of the application is to provide for the residential needs of 15 existing long-term occupancies within the BVHP, and accordingly this is an application for retrospective resource consent.

Long-term occupation under this application:

- applies to living accommodation for persons intending to live at the site for a period of 50 days or more a year, who will generally refer to their site as their home and permanent address;
- will only be allowed within relocatable homes which, under the Camping Ground Regulations 1985, means a structure located within a camping ground comprising a group of rooms occupied permanently or temporarily as the living quarters of a single house-keeping unit, which is completely self-contained in respect of domestic equipment and facilities and which is designed to be relocatable;
- relates to 23 single sites ('the relocatable home park') as shown in yellow on Plan A attached to this consent, which will each be provided with a service hub to connect to Council sewer and water services within BVHP;
- will allow for relocatable homes to fit within the confines of a single site only, not multiple sites;
- provides for accommodation structures only where located outside of an identified Fault Avoidance Zone and set back at least 5m from the bank of the Brook Stream, as shown on Plan A;
- will not allow the use of small-scale solid fuel burning appliances (so the discharge of contaminants to air from existing appliances will cease, in accordance with the prohibited activity status under Rule AQR.24 in the Nelson Air Quality Plan).

The applicant has volunteered a "sinking lid" approach to be adopted for the relocatable home park, with consent limited to the existing 15 occupants and the duration of their occupancy only.

Of the 23 sites within the relocatable home park, only 13 are currently occupied on a long-term basis (C11 and C14-C17, D8 and D9, F1-F3 and F13-F15) by 9 existing occupants (F13/F14, F1/F2; D8/D9 and C15/C16 are currently double sites, but will revert to single sites). The other 6 occupants of sites compromised by the Brook Stream setback or Fault Avoidance Zone, at least, will need to be relocated to new sites.

Pursuant to section 123(b) of the RMA, the applicant has requested that consent is granted for a duration of 15 years. At the conclusion of this, and if the applicant wishes to continue with a relocatable home park of BVHP, a new resource consent will need to be obtained.

The application includes an Assessment of Environmental Effects from Beca Ltd, accompanied by a Cultural Impact Assessment from Te Arahanga Ltd, a Wildfire Risk Analysis Report from Integrated Consultancy Ltd, a Hazard Assessment from Beca Ltd, a

Waimea Fault Hazard Assessment from Beca Ltd and a report for the Fault Avoidance Zone from Beca Ltd.

## SITE DESCRIPTION

A site visit was undertaken on 29 March 2021 by Council's Consultant Planner.

The Brook Valley Holiday Park (BVHP) is located towards the head of the Brook Valley, approximately 4.5km from the Nelson city centre. It occupies approximately 4.5ha of land between the southern extent of the residential area of The Brook and the Brook Waimarama Sanctuary which gains its accessed through the BVHP (see Figures 1 and 2).

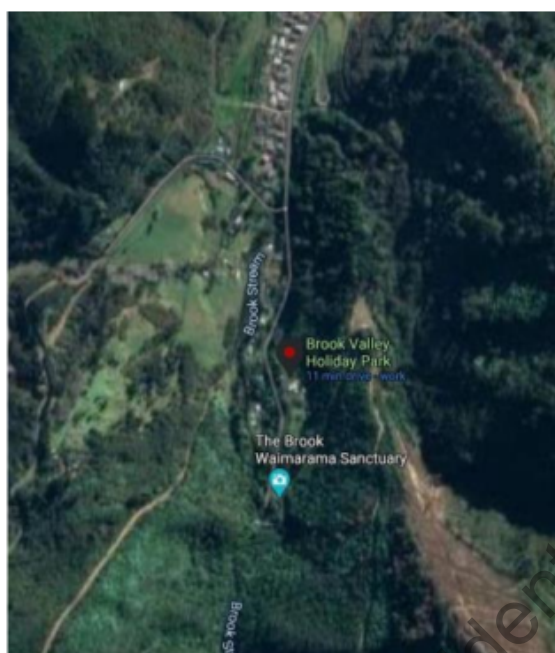


Figure 1: Brook Valley Holiday Park and locality



Figure 2: Brook Valley Holiday Park, with existing long-term occupancy alongside Brook Stream

The BVHP is sited adjacent to the Brook Stream and spans three relatively flat alluvial terraces separated by terrace risers. The proposed relocatable home park is located on the lower alluvial terrace closest to and east of the stream, and it is in this area that the existing long-term residents are living.

Facilities within the park include tourist cabins, powered and non-powered campervan, caravan and tent sites, and amenity blocks including shared ablutions, kitchen, TV lounge and laundry facilities.

The application states that the BVHP is able to accommodate up to 406 occupants over 120 sites and 10 cabins. The proposed relocatable home park will occupy up to 23 of those 120 sites, but with not more than 15 in use at any time.

Visitor numbers to the BVHP are set out in the table below, and during the summer of 2020/2021 averaged just over 230 occupants over a five day period at its peak.

Month / Year	Total Visitor Numbers
March 2020	153
February 2020	353
January 2020	760
December 2019	614
November 2019	101
October 2019	55
September 2019	40
August 2019	31
July 2019	22
June 2019	19
May 2019	53
April 2019	367
March 2019	903
February 2019	592

BVHP is connected to Council reticulated services. These include wastewater pipes connected to the ablutions and other communal buildings east of the camp access, and to gully traps (suitable only for grey water, not sewage) adjacent to the proposed relocatable home park sites west of the camp access. The BVHP is also connected to the municipal water supply, to buildings and to taps throughout the camp. Council's Senior Asset Engineer - Utilities has confirmed that there is capacity within existing water and wastewater services sufficient for the proposed service hubs and long-term occupancy of these sites.

There is no reticulated stormwater network within the BVHP, however runoff from individual relocatable homes will be minor and the applicant has stated that this will comply with the requirements of the Camping Ground Regulations. The discharge of stormwater from the roof of a residential property, where not containing any contaminants, is also a permitted activity under the NRMP.

#### PLAN RULES AFFECTED

According to the Nelson Resource Management Plan, the following apply to the subject property:

- Zoning: Open Space and Recreation
- Overlays: Riparian, Fault Hazard, Landscape Trees, Landscape Woodland

Rules: Rule OSr.20.3 – long-term living accommodation within a relocatable home park is not a permitted activity listed in Schedule CG1 (Camping Grounds) for the Open Space Recreation Zone – non-complying activity

Rule OSr.56.3 – Structures within the esplanade reserve corridor (30m including the river-bed and both banks) of the Brook Stream – discretionary activity

Overall Status: Non-complying activity

The application site is zoned Open Space and Recreation in the NRMP and is scheduled as a 'Camping Ground' under OSs.7. OSs.7.i permits the following activities and buildings on the site, subject to compliance with the Open Space and Recreation Zone rule table:

- a) Camping and short-term living accommodation
- b) Conferences and conventions
- c) Service buildings
- d) Aerials
- e) Informal recreation activities
- f) Play equipment
- g) Hire of camping and sporting equipment
- h) Any activity listed in any management plan approved for the land under the Reserves Act
- i) Sales of refreshments, groceries and souvenirs
- j) Temporary structures for the purposes of military training

Long-term living accommodation is not listed as a permitted activity under OSs.7.i. The BVHP is a Local Purpose (Outdoor Leisure, Camping, Conservation and Education) Reserve subject to the provisions of the Reserves Act 1977, however it does not have a management plan approved under the Reserves Act.

Any activity that is not a permitted activity in the schedule is a non-complying activity, and any permitted activity that does not meet the permitted conditions of the rule table is discretionary. Subject to the 5m setback to the Brook Stream, the relocatable homes will also be sited within a 30m esplanade corridor (Rule OSr.56).

With the bundling of consents the proposed relocatable home park is assessed as a **non-complying activity** under the NRMP.

## REASONS FOR THE DECISION

### Assessment of actual and potential environmental effects

The principal issues associated with the proposed activity are:

- (a) effects on public recreational use and amenity of the Brook Valley Holiday Park;

- (b) effects on the riparian values of the Brook Stream;
- (c) effects of flood risk and stream bank scour erosion;
- (d) risk of fault hazards, slope instability and fire;
- (e) effects of traffic on the local road network;
- (f) effects on neighbouring properties and activities;
- (g) effects on values held by Te Tau Ihu Iwi; and
- (h) the duration of consent.

In assessing these issues, the scale of the relocatable home park, being limited to 15 occupants on a reducing or "sinking lid" basis, and the proposed 15 year duration of consent, are noted.

The application is for retrospective consent for long-term occupation by existing residents. In such circumstances, their use of the BVHP cannot be considered as part of the existing environment, however this does afford greater understanding of the potential effects on the environment and people that would arise with a grant of consent.

Section 104(2) of the Resource Management Act allows a consent authority, when forming an opinion on the actual and potential effects on the environment of allowing an activity, the discretion to "...disregard an adverse effect of the activity on the environment if the plan permits an activity with that effect." This concept is referred to as the 'permitted baseline'. The application of the permitted baseline is at the discretion of the Council.

The application seeks to establish a permitted baseline around temporary occupancy within the BVHP under the Camping Ground Regulations, whereby a person could occupy the BVHP for up to 50 days, before leaving the BVHP for a short duration and returning to reside on the camping ground for another 50 consecutive days, on a recurring basis. While this may have day-to-day effects not unlike the proposal, and with occupation of sites within the Fault Avoidance Zone and Brook Stream Setback as part of the general use of the BVHP, it is conceivable that this is unlikely to be sustained over more than the short to medium term and certainly not by all 15 residents.

The proposal and its AEE have been reviewed by the Nelson City Council (NCC) Senior Engineer – Land Development and Activity Engineer – Stormwater and Flood Protection in relation to inundation and stream bank scour hazards; Senior Asset Engineer- Utilities, in relation to service capacity; Senior Transport Adviser in relation to traffic effects; Manager, Science and Environment in relation to biodiversity values of the wider environment; and its Consultant Engineering Geologist (Tonkin and Taylor) in relation to slope instability and fault hazard risk.

The Council's Consultant Planner considers that the adverse effects of the activity can be appropriately avoided, remedied or mitigated to result in adverse effects on the environment that will be less than minor, for the following reasons:



## Effects on Public Recreational Use and Amenity of the BVHP

The application states:

*"The Open Space and Recreation zone contains open space which is of high amenity value to the community, primarily for open space and active recreation activities, and in respect of the BVHP, for short-term living accommodation and camping activities. It is important for the health and well-being of the wider community that the existing recreational opportunities of the BVHP remain."*

The proposed relocatable home park and sites for long-term occupation are all located along the western side of the BVHP near the stream, and effectively in two clusters separated by the Fault Avoidance Zone. They are well separated from the main camp access and access to the Brook Waimarama Sanctuary. Those sites in Fantail Glade are visually screened by vegetation and quite secluded from the bulk of sites in the camp.

Under the Camping Ground Regulations 1985, any relocatable home must be completely self-contained in respect of domestic equipment and facilities. The occupants of the relocatable home park may use on-site communal facilities within the camp, however as permanent residents they are more likely to seek a level of privacy and independence in the use and layout of their sites. Some of the existing sites and structures used for long-term occupation may also need to be upgraded and potentially relocated in order to meet the required standards in the building and warm homes legislation. This will ensure an appropriate standard of amenity for those occupants.

Based on the maximum number of sites that will be used for long-term occupation at any one time (being 15 (or only 12.5%) of the 120 sites in the BVHP), and the overall occupancy rates in the table above, the proposal will have a less than minor impact on the availability of camp sites and general use of BVHP by the wider public for recreational and short-term accommodation use.

Although the long-term occupants will have use of the on-site communal facilities within BVHP, including ablutions, the camp has gully traps for greywater collection and all relocatable homes will be connected to the city sewer via service hubs, so there will be no discharge of greywater or wastewater to land as a result of this proposal. The camp is also reticulated for water supply. An appropriate standard of servicing will be provided, within the capacity of the existing reticulated Council services to BVHP.

The applicant will not allow use of small-scale solid fuel burning appliances by long-term occupants. Any discharge of contaminants to air from existing appliances will cease, with resulting improvements in air quality at the camp.

BVHP is within a Landscape Woodland (W36) in the NRMP, which contains a number of specified and protected landscape trees (18 Californian Redwood and 1 Deodar). Most of these are in Eureka Park, a public walkway area on the north-eastern side of BVHP. The proposed relocatable home park will occupy existing cleared sites and will therefore preserve the most significant vegetation within and wider woodland qualities of the BVHP. The existing open space qualities of the BVHP will be retained, as will the extensive established landscaping which will continue to provide a high level of visual amenity in this location.

On the scale and in the location proposed, long-term and short-term occupancy within BVHP can co-exist without detracting from the overall amenity and open space character within the BVHP.

I agree with Council's Consultant Planner that any adverse effects on the recreation use and enjoyment of the BVHP for short term accommodation and leisure activities by other visitors, as anticipated by its zoning and scheduled status under the NRMP, will be less than minor.

#### Effects on the Riparian Values of the Brook Stream (Waimarama)

The Riparian Overlay in the NRMP applies to Brook Stream either side of and through the BVHP. Within the application site, the riparian values identified in Table 6.1 of the NRMP are:

- Priority 1 and 2 conservation values (aquatic habitat and water quality);
- Access where urban development occurs; and
- Hazard mitigation flood capacity.

In respect of conservation values and public access (hazards mitigation is addressed separately below), it is noted that:

- the riparian values of the Brook Stream in this location are already influenced by the presence of the camp, and by past scour erosion of its banks;
- there will be no discharge of water or contaminants from the relocatable home park into the Brook Stream (or onto land where it may enter the stream), nor removal of existing vegetation alongside the stream, so there will be no change in its water quality, fisheries or aquatic habitat;
- any structures within the relocatable home park will be set back at least 5m from the bank of the stream, maintaining access along the riparian margin for other occupants of the BVHP or members of the general public who may wish to access this for passive recreation or cultural purposes within what is a public open space site; and
- Council's Manager Science and Environment has not expressed any concerns about the impact of this proposal on the biodiversity and natural values of the stream.

The Council's Consultant Planner has concluded that any adverse effects on riparian values due to the presence of the relocatable home park will be less than minor, and I accept this assessment.

#### Effects of Flood Risk and Stream Bank Scour Erosion

The NRMP includes a flood path 15m wide from the top of both banks of the Brook Stream through the BVHP. The relocatable home park is also on the lower alluvial terrace closest to the stream.

Beca has observed local instabilities along the bank margins of the stream, apparently the result of local scour during flood events. The stream bank adjacent to the site varies from 2.8m-4.0m in height, with a channel width of 3-4m in width. In their RFI response, Beca has stated:

*"The confined width of the channel suggests that the stream banks may be overtopped during flood events. Significant flooding was reported in the Brook Valley in September 1970 however there is no reference to flooding of the holiday park. Local observations suggest that flood waters were confined to the channel adjacent to the holiday park and caused local scour and oversteepening of the stream banks. The holiday park manager reported that the permanent cabins on the lower terrace had been raised at some point but was uncertain of the reasoning or timing and whether it was related to the 1970 flood. The 1940-1949 aerals and 1980-1989 aerals available on the Top of the South website suggest that there have not been significant changes in the position of the Brook Stream Channel adjacent to the campground over this period and suggest scour erosion has not been extensive."*

In accord with the requirements on the NTLDM and its Inundation Practice Note, Beca has considered the 1%AEP (1 in 100 year) flood event using flood model data supplied by Tonkin and Taylor for the upper reach of the Brook Stream adjacent to BVHP. The supplied model data indicates that the 1% AEP water levels for present day and 2130 flood levels (incorporating allowance for climate change) are contained within the existing channel and therefore do not pose a flooding inundation risk to the site, which is consistent with reporting of the 1970 flood event. Modelled flow velocities of 4m/s to 6m/s however suggest further scour erosion and bank retreat is expected but is likely to be gradual.

Beca has recommended that all structures and services be set back a minimum of 5m from the top of the eastern riverbank, as annotated on Plan A to this consent. This will prevent surcharge loads from structures affecting the stability of the existing stream bank, and allow for further scour and regression of the existing bank without loss of support to structures. The applicant proposes to regularly monitor the stream bank for evidence of renewed scour erosion over the duration of the resource consent. All accommodation structures must be relocatable under this proposal, 'fixed to the land' only by virtue of them being connected to urban reticulated services rather than building foundations, and this will allow for retreat in the event of further scour erosion. As measures to reduce or mitigate this hazards risk, the set back and nature of accommodation structures permitted on the site, and regular monitoring of bank scour erosion, have imposed as conditions of consent. With this, I am satisfied that any adverse effects on the environment and on occupants of the relocatable home park due to its proximity to the Brook Stream will be less than minor.

#### Risk from Fault Hazards, Slope Instability and Wildfire

The application is accompanied by a Natural Hazards Assessment prepared by Beca, and a Wildfire Risk Analysis Report prepared by Integrated Consultancy Ltd.

Beca have identified the hillslope immediately behind and east of the BVHP as susceptible to instability and has mapped two areas of slope failure beyond the camp boundary. They note that runoff from a larger magnitude failure could continue into the BVHP, however the proposed relocatable home park is located outside of that area anticipated to be impacted by this.

Based on vegetation ignition likelihood, and the consequences should a wildfire ignite, the risk of wildfire starting on or near the BVHP, developing and spreading has been assessed as MODERATE in the Wildfire Risk Assessment. The mitigation recommendations made in the WRA, to be contained within a wildfire management plan for the BVHP as a whole, exist irrespective of the presence of long-term occupants as a bulk of the BVHP's use is by short-

term visitors over the drier summer months. The relocatable home park has good access for evacuation down Brook Street, it is easily accessible to fire service vehicles and located close to water pressure mains usable by FENZ, small-scale solid fuel burning appliances will not be permitted within relocatable homes, and use of fires and cooking equipment within the BVHP is regulated.

The Waimea Fault trends northeast to southwest across the BVHP, although its exact fault trace is obscured by the recent alluvial sediments within the site. Beca has stated that this is part of an active fault system that is considered capable of generating earthquakes in the order of Magnitude 7 with an average recurrence interval of about 6000 years.

The Fault Hazard Overlay in the NRMP contains known active or potentially active fault traces, and land within the overlay may be subject to strong ground shaking and ground deformation during a fault rupture. The Fault Hazard Overlay passes through that area of the BVHP in which permanent residents are to be accommodated. Unlike for the Residential and Rural Zones, where buildings must only be set back at least 5m from an identified fault trace as a permitted activity, there are no rules in the Open Space and Recreation Zone for buildings in the Fault Hazard Overlay. This is most likely because the zone is intended for open space and recreation purposes, not residential use or longer-term and more permanent occupation, and any use not provided for within the site scheduling is a non-complying activity. The consent authority must still manage any significant risks from natural hazards in reaching a decision under the Resource Management Act.

Further information was requested of the applicant to better understand the location of the fault and possible mitigation measures to address the risk of structures collapsing and the potential for injury or loss of life to occupants of the relocatable home park during a design seismic event. Avoiding building on or near active faults is the safest and most satisfactory long-term solution to address fault hazard risk for long-term occupants within the BVHP. Beca have recommended a 30m wide Fault Avoidance Zone applied either side of the inferred position of the Waimea Fault within the BVHP, shown on Plan A to this consent, based on:

- MfE guidance 'Planning for Development of Land on or Close to Active Faults' which recommends a minimum 20m fault avoidance zone either side of a known fault trace or identified fault rupture zones;
- 5m of the inferred deformation zone surrounding the fault; and
- 5m to offset uncertainty in the data sets i.e. uncertain with manual geomorphic mapping techniques, transfer of field mapping information to GIS etc

Beca has recommended that no relocatable home park sites are located within the proposed Fault Avoidance Zone, and any existing long-term occupants currently within it are relocated to another site within the relocatable home park.

When compared to the 5m minimum setback to an identified fault trace in other zones, which is considered an acceptable standard in minimising the risk to life, property and the environment posed by fault hazards, the 60m wide fault avoidance corridor is well in excess of this and will appropriately reduce the surface effects of any fault rupture.

Tonkin and Taylor are satisfied that sufficient geotechnical information has been provided in support of this application, and their recommended conditions of consent have been incorporated into this decision.

With a 'sinking lid' approach also applied to the accommodation of long-term occupants at this site, I accept the findings of the Consultant Planner that the location of the relocatable home park and the mitigation measures incorporated with these conditions will adequately respond to the natural hazard risks associated with the BVHP, and reasonably avoid any adverse effects on the occupants of the relocatable home park.

#### Traffic Effects on the Local Road Network

The application states that the existing relocatable homes are modest in size, and that this will continue if new replacement relocatable homes are brought to the BVHP as the occupants will be limited to use of a single site in the relocatable home park. The proposal provides for long-term occupation, without replacement of existing occupants, so there will not be frequent or on-going transportation of over-sized vehicles or loads on Brook Street.

As a holiday park (and with access through it to the Brook Waimarama Sanctuary) the application site already contributes to traffic volumes on Brook Street particularly over the summer months. As their place of residence, any personal use of vehicles or bicycles by the occupants of the relocatable home park will be minor in that context, and will have no impact on the safe and efficient use of the local road network. The camp is also served by public transport (Route 4 NBus).

NCC's Senior Transport Adviser has requested that the consent acknowledge the need for any relocatable home must be roadworthy and have a current registration and warrant of fitness, unless transported as a load on a truck and trailer, and must comply with any vehicle dimension and mass rules for use of public roads. These matters have been addressed as advice notes as they relate to regulations for road use outside of the Resource Management Act, and to structures or relocatable homes not necessarily owned by the Consent Holder.

#### Effects on Neighbouring Properties and Activities

As the relocatable home park is to be located within an established public camping ground, the existing environment is an important consideration in this assessment.

The BVHP is at the end of Brook Street just beyond the existing residential area in Brook Valley, and borders 584 Brook Street on its western side, the Brook Waimarama Sanctuary on its south-western to south-eastern boundaries, and Eureka Park to its north-east.

Land on the western bank of the Brook Stream is zoned Residential in the NRMP. The property at 584 Brook Street is currently rural in character, it is used for grazing and contains a house and bach located at least 70m from the western boundary of the relocatable holiday park. The relocatable home park will be within that part of the BVHP closest to this neighbour however the stream and riparian vegetation either side provide a physical and visual barrier between the properties. To the extent the proposal is 'residential' in character, no cross-boundary or reverse sensitivity effects are anticipated.

The Brook Waimarama Sanctuary is enclosed by a predator-proof fence along the hillside on the opposite bank of the Brook Stream to that part of the relocatable home park in Fantail Glade. Walking tracks within the Sanctuary largely extend up the valley, and

alongside the fence further up this western spur, but not in close proximity to Fantail Glade. Public access to the Sanctuary is through BVHP. That area allocated for permanent residents under this application is separated from this access by camp sites and cabins, and in some cases with vegetative screening, through the centre of the BVHP. The relocatable home park is well removed from the Brook Waimarama Sanctuary visitor centre and entrance, and will not impact on the biodiversity gains, natural or conservation values, and continued public use and enjoyment of, and any heritage features, within the Sanctuary and wider waterworks and conservation reserves.

Provision for permanent residents within that part of the BVHP closest to neighbouring land zoned for future residential use, and separated from public access to and within the Sanctuary, will mitigate the potential for reverse sensitivity effects and ensure an acceptable standard of residential amenity for occupants of the relocatable home park. I am satisfied that any adverse effects beyond the boundaries of the BVHP will be less than minor.

#### Effects on values held by Te Tau Ihu Iwi

The BVHP is located in the Mahitahi River and its Tributaries Te Tau Ihu Statutory Acknowledgement Area. Seven iwi of Te Tau Ihu have statutory acknowledgement over the area.

The values held by Iwi, both cultural, environmental and in access to housing choice, have been well canvassed in the application and, as a result of the following, I accept the statement in the application that *"the effects of the activity on mana whenua values and Te Tau Ihu iwi are considered to be less than minor."*

The **Cultural Impact Assessment** accompanying the application establishes the historical cultural relationship between the eight iwi of Te Tau Ihu and the taiao environmental effects of permanent housing within the BVHP precinct, and gathers input from the haukāinga (mana whenua iwi) and matawaka (Māori with tribal affiliations that do not include the iwi of Te Tau Ihu) regarding the cultural and social effects of providing consent for permanent sites.

It is proposed that all relocatable homes are fully serviced, with discharge via service hubs to the city sewer, and the relocatable home park relates to part of the BVHP already used for permanent and temporary camping. It is however next to awa (a river) and the BVHP is within historical mahinga kai (food gathering areas). Iwi have cultural indicators for checking the health of the awa taiao, and their recommendation is for an on-going Cultural Health Indexing programme to measure the effects of this proposal on the Taiao. Cultural monitoring which incorporates Māori values to evaluate the health of waterways is an integral part of Council's state of the environment reporting.

All eight iwi have concerns about the lack of affordable housing for their members, and the CIA acknowledges that the application is an opportunity to legalise and increase the opportunity for long-term occupation at the BVHP. By requiring that all existing and future relocatable homes meet the needs of the Building Act, healthy and safe accommodation will be supported.

The CIA acknowledges that there is potential for discharges to air and land due to existing use of wood burners and some grey water, but the applicant is working to address these issues so that discharges are avoided. The application does not allow use of small-scale

solid fuel burning appliances so the discharge of contaminants to air from existing appliances will cease.

The CIA recommends that an ongoing Cultural Health Indexing programme is put in place to measure the effects on the Taioa. The applicant has confirmed that there is currently no indexing programme for the Brook Stream, but the Council will be taking steps to do that. The applicant has agreed to the recommendation made in the CHI and volunteers a condition accordingly.

Consideration has been given to the **nga taonga tuku iho ki Whakatu Management Plan**. Iwi typically have an interest in works that involve disturbance to the beds of streams and activities that impact water quality, habitats, other natural resources and cultural values held such as mahinga kai. It is not proposed to undertake works within the bed or disturb vegetation and the banks along the margin of the Brook Stream (Waimarama), accommodation structures (including existing ones) will be set back at least 5m from and public access will be maintained along its banks, and all relocatable home will be self-contained and there will be no discharge of contaminants to the stream. The proposal will not adversely affect the mauri of the Brook Stream (Waimarama) or restrict tangata whenua from practicing its customary traditions.

The **Te Tau Ihu Intergenerational Strategy 2020** recognises that affordability, access and quality of housing is a major issue in Te Tau Ihu and has an impact on the well-being of people, whanau and community. The proposal will provide for housing choice where accessible to the city and its services and where connected to urban infrastructure. It is agreed that the proposal is aligned to the outcomes and priorities recognised in the Strategy.

#### Duration of Consent

The application proposes a 15 year duration of consent, on conclusion of which a new resource consent will need to be obtained if long-term living occupation is to continue with the BVHP. I consider that this is reasonable, taking into account the assessment of effects above and the reasonable needs of the existing occupants.

#### **Relevant statutory provisions**

##### Section 104(1) of the Resource Management Act

Section 104(1) of the RMA states that:

*"When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to-*

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (b) *any relevant provisions of—*
  - (i) *a national environmental standard;*
  - (ii) *other regulations;*
  - (iii) *a national policy statement;*
  - (iv) *a New Zealand coastal policy statement;*

- (v) a regional policy statement or proposed regional policy statement:
- (vi) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application."

#### The Nelson Resource Management Plan

The following objectives and policies in the NRMP are considered most relevant to this proposal:

**Objective DO2.1 natural hazards:** *An environment within which adverse effects of natural hazards on people, property, and the environment are avoided or mitigated.*

**Policy DO2.1.1 health and safety:** *Development, redevelopment, or intensification of activities should not occur in natural hazard prone areas where the hazard is likely to endanger human health and safety.*

**Policy DO2.1.2 property and environment:** *Development, redevelopment, or intensification of activities should not occur in natural hazard prone areas where the hazard is likely to endanger property or the environment, unless the hazard can be adequately mitigated.*

The Fault Avoidance Zone and 5m minimum setback to the Brook Stream will appropriately mitigate any risk to human health and property through natural hazards within the proposed relocatable home park.

**Policy DO6.1.2 activities in margins:** *The values associated with riparian ... margins should be protected from the adverse effects of activities in order to prevent degradation or loss of esplanade values while recognising that some activities require to be located in or adjacent to water bodies.*

This policy is relevant because the proposed relocatable home park requires resource consent due to buildings being located within 30m of the Brook Stream. The Brook Stream is a feature of the aesthetic setting of the BVHP and this also influences the existing qualities of its riparian margin. The 5m setback to the stream bank, connection of the relocatable homes to urban reticulated sewer, and the applicant's agreement that the Brook Stream be included in Council's Cultural Health Indexing programme, will ensure that its esplanade values recognised through NRMP (and any cultural or water quality issues of the area itself) are appropriately protected.

**Objective DO13A.3 creating high quality public spaces:** *Buildings, reserves and roads that are created as part of subdivision and development result in quality public spaces that are beautiful and inspiring, provide for and enable social, cultural, economic and environmental wellbeing and enhance amenity values.*

**Policy DO13A.3.2 multi use:** *Public spaces which facilitate multiple uses to achieve a range of social, cultural, economic and environmental benefits.*



**Objective DO13A.4 providing for diversity:** *Subdivision and development that provides for a range of choices in housing types, neighbourhood types, compatible employment opportunities and leisure and cultural activities.*

**Objective DO13A.5 sustainable places & communities:** *Urban development that meets the community's current needs without compromising future needs.*

These objectives and policies collectively seek to ensure that reserves as public spaces, and any building development or multiple use within them, contribute to or maintain social, cultural, economic and environmental wellbeing and their amenity values. This proposal will meet the specific housing choice of part of the Nelson community, without compromising the amenity and wider accessibility of the BVHP and the Brook Waimarama Sanctuary as public areas of recreational, leisure, cultural and/or ecological value to other users.

**Policy DO16.1.1 zones (and areas):** *Open Space and Recreation Zone - A framework for the present and future management of open space and recreation land.*

*Explanation and Reasons*

*DO16.1.1.viii The Open Space and Recreation Zone is intended to recognise and protect land already used for open space and recreation purposes. The majority of the land in the Zone is reserve land vested in the Council and administered by the Council under management plans prepared under the Reserves Act 1977.*

The NRMP contains objectives and policies for present and future use of open space and recreation land.

**Objective OS1 present use:** *Maintaining the social well-being and health of the community by recognising and enhancing opportunities for use of open space and recreation land.*

**Policy OS1.1 recognise amenity provided:** *The amenity provided by open space and recreation areas should be recognised and protected.*

**Policy OS1.3 neighbouring zones:** *Activities on open space and recreation zoned land should be compatible with the amenity values of surrounding zones.*

The Applicant's Planner has made the following assessment of this objective and its policies:

*"This objective recognises the importance for the health and well-being of the community that the opportunities the city's open space areas provide to the amenity of the general city. This proposal provides for the social well-being and health of the existing occupants and other people within the community that may seek access to a diversity in housing choice. Only a small proportion of the BVHP is to be given over for use for longer term occupation and the BVHP is otherwise still able to be used for recreational purposes (including camping and shorter-term living accommodation).*

*This Policy (OS1.1) recognises that reserves provide general amenity to the city and its environs and a special level of amenity to the local area where they exist. This special amenity may be in the form of views (as other properties overlook or face into reserves or recreation grounds), access to facilities within these areas, and general amenity through*

large trees, open space and landscaping. In this context it is considered that the proposal is consistent with this Policy because views and the general amenity that is achieved through large trees, landscaping and open space will be retained. However, there will be some loss of access to camping and recreational land as a result of the longer-term occupation of some of the sites.

Activities occurring on open space and recreation land have the potential to adversely affect surrounding areas if due care is not taken. Because the Open Space and Recreation zone does not have amenity requirements and other environmental considerations, it is important that the amenity of surrounding zones is considered and respected at all times. The land surrounding the BVHP is rural and residentially zoned. The BVHP is not located immediately adjacent to any residential use and it is set back and well screened from the closest neighbouring properties to the north. In respect of the adjacent rural zoning, it is noted that the tenure and topography of the land means it is unlikely that it will be utilised for rural productive purposes. As such there are no adverse reserve sensitivity effects anticipated. The relocatable home park does not detract from the amenity values or prevent access to the adjacent Brook Waimarama Sanctuary Trust. The proposal is therefore considered to be compatible with the surrounding zonings and land uses."

**Objective OS2 future use:** Retain the opportunity to provide for changing community needs and aspirations.

**Policy OS2.1 future circumstances:** The use of land in the Open Space and Recreation zone should be reviewed on a regular basis to ensure that changing community needs are being met.

In relation to these, the application states:

"The use of a portion of the BVHP for longer term occupation purposes might reflect a change in community needs and it may be considered by the community to be an alternative use of an existing resource that would serve the community to a greater benefit."

On 17 February 2021, under delegation granted to Nelson City Council from the Minister of Conservation, permission was provided for "a camping ground with permanent and temporary personal accommodation, including for periods of more than 4 weeks during the period commencing 1 November in any year and ending 31 March" at BVHP.

BVHP is also subject of the Camping Ground Regulations 1985. People can stay in the BVHP temporarily for up to 50 consecutive days (including over the summer months under the Reserves Act), after which occupancy is disrupted, or they can stay permanently within a relocatable home within a relocatable home park under the Camping Ground Regulations.

Permanent personal occupation at the BVHP has been considered and is provided for within the Reserves Act (the permission granted in February 2021) and the Camping Ground Regulations (within self-contained relocatable homes), as anticipated under Policy OS2.1, and the purpose of this application is to consent a relocatable home park within part of the BHVP to facilitate that.

**Policy OS2.2 plan change** Any change from open space or recreation use of land will be considered by way of a Plan Change.

Taking into account the scale of the relocatable home park and its restrictions on tenure and duration, and existing occupancy rates for short-term camping, the predominant character and use of BVHP will remain one of open space and recreational activity. A Plan Change is neither a necessary or efficient means to provide for this proposal.

The NRMP acknowledges that use of land in the Open Space and Recreation Zone may change over time in response to community need and that, as long as the existing amenity of the BVHP is protected for existing use and it continues to be available and of benefit to the wider community, this is an acceptable outcome.

Overall, I find the proposal is consistent with the relevant objectives and policies contained in the Nelson Resource Management Plan.

#### The National Policy Statement on Urban Development 2020 (NPSUD)

The National Policy Statement on Urban Development 2020 (NPSUD) sets out the objectives and policies for planning for well-functioning urban environments under the Resource Management Act 1991 and came into effect on 20 August 2020. The proposal is consistent with the intent of the NPSUD as it recognises existing demand for long-term accommodation by providing for housing choice and for the social and general well-being and needs of that community currently residing at BVHP, with a standard of accommodation that will provide for their health and safety, in a location benefiting from open space, and within reasonable proximity of the city centre and on a public transport route (reducing reliance on private vehicle use).

#### Other Matters

The BVHP does not have a management plan approved under the Reserves Act. Use of the BVHP for longer term living accommodation within "a relocatable home park providing for a maximum of 25 sites designed to comply with the Camping Ground Regulations 1985" was proposed within a Brook Recreation Reserves Management Plan (BRRMP) prepared for the BVHP in 2015. That Plan included a policy to provide for those sites preferably within one area of the Reserve, based around Fantail Glades. The BRRMP went through a process of public submission, which indicated both support and to a limited extent opposition for permanent accommodation as part of a range of acceptable activities within the BVHP. A number of submissions support the concept of a "sinking lid" to cater for existing permanent residents but not grow the extent of this.

The Brook Recreation Reserve Management Plan (BRRMP) was only adopted in principle and, with change to a Local Purpose (Outdoor Leisure, Camping, Conservation and Education) Reserve in 2019, the BRRMP was revoked as a Management Plan is not required for the reserve. The proposal however accords with its intent to provide for a relocatable home park with up to 25 sites, and with public support for a "sinking lid" in catering for existing permanent residents.

As stated earlier, the application site is located in the Mahitahi River and its Tributaries Te Tau Ihu Statutory Acknowledgement Area. The Council as consent authority must have regard to any relevant Statutory Acknowledgement over an application site. The applicant has consulted with Te Tau Ihu iwi, a Cultural Impact Assessment has been prepared, and the CIA finds that the proposal is consistent with Te Tau Ihu iwi values.

## Section 104D of the Resource Management Act – Non-Complying Activities

With the bundling of consents, the proposed relocatable home park is a non-complying activity under the NRMP.

Section 104D of the RMA contains particular restrictions for non-complying activities:

*"(1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—*

- (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- (b) the application is for an activity that will not be contrary to the objectives and policies of— (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity..."*

The proposal must meet one of these threshold tests in order for Council to grant consent.

Based on the findings above, it is considered that the proposal will meet both of the threshold tests in section 104D of the Act.

### Part 2 Matters

The proposal has been considered in context of the matters in Part 2 of the RMA and has been found to promote the sustainable management of natural and physical resources. The Council's Consultant Planner has considered the relevant principles outlined in sections 6, 7 and 8 of the Act. There will be positive effects of the proposal in meeting the social well-being, health and safety of long-term occupants in BVHP, and enabling the efficient use of a camping ground that appears underutilised (section 7(b)). This can occur without compromising the character and aesthetic qualities of the BVHP, other visitors' access to, use and enjoyment of the wider camp, and the natural and recreational values of surrounding reserves (sections 7(c) and 7(f)). Any significant risks from natural hazards on the occupants of the relocatable home park and their accommodation will reasonably managed (Sec 6(h)), the CIA concludes that proposal is responsive to the needs of Maori and their relationship, cultural values and traditions with respect of the Brook Stream (Sec 6(e)), and any adverse effects on neighbouring properties will be avoided. Due to the information contained in the application and the assessment above, she has determined that granting this application (subject to conditions) better achieves the sustainable management purpose of the Act (within Part 2) than refusing consent. I accept this.

### **Notification and Affected Parties**

The Council has decided under Section 95D of the Act, that the adverse environmental effects of the proposed activity are less than minor and there are no persons deemed adversely affected by the proposal (pursuant to section 95E). The application has therefore been processed without notification.

**Overall Evaluation**

Overall I consider that the proposal is consistent with the relevant objectives and policies of the NRMP, it will have less than minor effects on the environment and people, and that granting consent will meet the purpose of the RMA 1991 as set out in section 5.

**Reporting Officer:** Jane Hilson

**Position:** Consultant Planner



Signed

Date: 16 February 2022

The decision to grant resource consent on 16 February 2022 is pursuant to delegated authority from Nelson City Council by:



Mark St Clair  
**Independent Commissioner**

Released from Confidential on 31 January 2024



## Catherine Close

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**From:** Clare Barton  
**Sent:** Thursday, 19 May 2022 4:38 pm  
**To:** Andrew White; Pat Dougherty  
**Cc:** Brent Edwards; Mandy Bishop; Michelle Joubert  
**Subject:** Brook Camp

Kia ora Andrew and Pat

I understand that Council's Strategic Development and Property Sub-Committee is meeting on 9 June and will be providing direction on whether the Council wishes to proceed with the objection or withdraw it.

As you will be aware, by allowing permanent residents, the Brook Camp is non-compliant with both the Nelson Resource Management Plan and the Camping Ground Regulations 1985. The current status of these is discussed below:

### Nelson Resource Management Plan

Resource Consent has been issued, but the conditions have not been complied with, nor has any progress been made onsite toward complying with these conditions. An objection may be lodged by the applicant (yet to be confirmed). In effect the activity remains in non-compliance as the consent is not being complied with.

### Camping Ground Regulations 1985

On 13 April 2021 a Certificate of Exemption was granted, temporarily allowing permanent residents. This certificate has since expired on 13 April 2022. This previous certificate was issued with the condition that prior to the certificate expiring, full compliance with the Camping Ground Regulations 1985 would be achieved. This has not occurred.

A further Certificate of Exemption application has since been received (on 11 April) and is being processed. The applicant has advised that they are unable to definitively confirm next steps or when full compliance will be achieved with the Camping Ground Regulations until direction is provided from the Strategic Development and Property Subcommittee. In effect the Brook Camp is currently operating in breach of the Camping Ground Regulations 1985.

Considerable time has elapsed to rectify these matters or at the very least be able to confirm when they will be rectified.

The purpose of this email is to signal, that if satisfactory progress is not made toward rectifying the non-compliances identified above, NCC Regulatory will likely be initiating formal action requiring the activity of allowing permanent residents to cease. Can you please ensure the Strategic Development and Property Sub-Committee is made aware of this at the meeting on 9 June.

If the Strategic Development and Property Sub-Committee decides to proceed with the objection in relation to the sinking lid condition, I can see no reason why progress cannot occur with meeting the rest of the consent conditions which would assist the situation regarding compliance.

If you have any questions please contact me.

Ngā mihi

### **Clare Barton**

Group Manager Environmental Management | Kaiwhakahaere Rōpū Whakahaere Taiao

Nelson City Council | Te Kaunihera o Whakatū  
P 03 546 0276

	Full Year Actuals 2017/18	Full Year Actuals 2018/19	Full Year Actuals 2019/20	Full Year Actuals 2020/21	YTD Actuals March 22	AP 2022-23 Year1 (2022/23)	LTP 2021-31 Final Year3 (2023/24)	Average of Full Year Actuals 2017/18 to 2020/21	Notes
<b>4062 Brook Camp</b>	<b>10,081</b>	<b>12,326</b>	<b>10,312</b>	<b>16,214</b>	<b>141,885</b>	<b>0</b>	<b>0</b>		
<b>Percentage User</b>	41%	42%	56%	25%	38%	25%	12%		Revenue and Financing Policy: 90% user, 10% Rates funding split
<b>Percentage Rates</b>	59%	58%	44%	75%	62%	75%	88%		
<b>Income</b>	<b>(578,279)</b>	<b>(616,571)</b>	<b>(555,449)</b>	<b>(795,075)</b>	<b>(386,743)</b>	<b>(881,697)</b>	<b>(297,655)</b>		
<b>Rates Income</b>	<b>(342,470)</b>	<b>(356,066)</b>	<b>(245,104)</b>	<b>(599,792)</b>	<b>(241,592)</b>	<b>(657,510)</b>	<b>(262,840)</b>		
40620005. General Rates	(342,470)	(356,066)	(245,104)	(599,792)	(241,592)	(657,510)	(262,840)		
<b>Other Income</b>	<b>(235,809)</b>	<b>(260,505)</b>	<b>(310,345)</b>	<b>(195,283)</b>	<b>(145,151)</b>	<b>(224,186)</b>	<b>(34,815)</b>		
40620410. Campground Rental	0	0	0	0	0	209	(7,385)		
40620430. Residential Rental	(15,600)	(15,600)	(15,600)	(15,600)	(11,400)	(15,865)	0		
<b>406205100263. Camp Fees: Sites</b>	<b>(101,113)</b>	<b>(124,017)</b>	<b>(95,300)</b>	<b>(78,623)</b>	<b>(54,941)</b>	<b>(96,920)</b>	<b>0</b>	(99,764)	8 fewer sites in future (was 112 av. \$890 p.a.): now 104 sites, reduction of \$7,120 (av. \$890 p.a., \$92,600)
<b>406205100264. Camp Fees: Graded Cabins</b>	<b>(9,380)</b>	<b>(16,269)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	0	
<b>406205100265. Camp Fees: Medium Cabin</b>	<b>(2,209)</b>	<b>(5,350)</b>	<b>(7,080)</b>	<b>(7,103)</b>	<b>(5,715)</b>	<b>(7,119)</b>	<b>0</b>	(5,436)	21 cabins in total (av. across all cabin types: \$830 p.a., \$17,554)
<b>406205100266. Camp Fees: Large Cabin</b>	<b>(3,328)</b>	<b>(3,987)</b>	<b>(5,832)</b>	<b>(3,317)</b>	<b>(3,772)</b>	<b>(5,929)</b>	<b>0</b>	(4,116)	
<b>406205100267. Camp Fees: Standard Cabins</b>	<b>(8,287)</b>	<b>(13,684)</b>	<b>(6,190)</b>	<b>(3,845)</b>	<b>(3,548)</b>	<b>(6,295)</b>	<b>0</b>	(8,002)	
<b>406205100268. Camp Fees: Semi Permanent</b>	<b>(71,160)</b>	<b>(60,058)</b>	<b>(79,314)</b>	<b>(70,696)</b>	<b>(53,221)</b>	<b>(81,360)</b>	<b>0</b>	(70,307)	15 sites (av. \$4667 p.a.). If increased by 8 sites to 23 sites (av. \$4667 p.a., \$107,340) gain \$37,000
<b>406205100269. Camp Fees: Laundry</b>	<b>(5,745)</b>	<b>(7,379)</b>	<b>(4,018)</b>	<b>(4,625)</b>	<b>(3,327)</b>	<b>(4,068)</b>	<b>0</b>	(5,442)	
<b>406205108210. Camp Fees: COVID 19</b>	<b>0</b>	<b>0</b>	<b>(83,791)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	0	Fees paid by CDEM to the Brook for housing people during the first lockdown
<b>40620530. Sundry Income</b>	<b>(8,040)</b>	<b>(5,441)</b>	<b>(5,816)</b>	<b>(4,994)</b>	<b>(3,607)</b>	<b>0</b>	<b>0</b>	(6,073)	
<b>40620610. Recoveries - Rates</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>776</b>	<b>(27,430)</b>	0	
<b>40620630. Recoveries: Electricity</b>	<b>(3,144)</b>	<b>(3,117)</b>	<b>(3,792)</b>	<b>(4,333)</b>	<b>(4,833)</b>	<b>(3,807)</b>	<b>0</b>	(3,597)	
<b>40620650. Recoveries - Internet</b>	<b>(7,789)</b>	<b>(5,603)</b>	<b>(3,611)</b>	<b>(2,146)</b>	<b>(786)</b>	<b>(3,807)</b>	<b>0</b>	(4,787)	
<b>40620651. Recoveries: Telephone Tolls</b>	<b>(12)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	(3)	
<b>Expenses</b>	<b>587,690</b>	<b>628,228</b>	<b>568,584</b>	<b>811,288</b>	<b>528,628</b>	<b>899,238</b>	<b>317,417</b>	(207,525)	
<b>Staff Operating Expenditure</b>	<b>178,125</b>	<b>205,692</b>	<b>200,971</b>	<b>275,146</b>	<b>238,616</b>	<b>468,121</b>	<b>174,657</b>		
40621602. Support Services Overhead	0	63,482	64,297	79,049	65,918	89,862	93,002		
40621631. Finance Support Charge	1,269	1,018	981	0	0	0	0		
40621651. CM: Community Partnerships	607	0	90	0	0	0	0		
40621672. Staffing	183,362	121,752	135,603	196,097	172,698	378,259	81,655		
40621699. Business Unit Surplus/Deficit	(7,113)	19,440	0	0	0	0	0		
<b>Base Expenditure</b>	<b>216,126</b>	<b>180,767</b>	<b>177,285</b>	<b>200,125</b>	<b>127,000</b>	<b>180,786</b>	<b>45,438</b>		
40622030. Plant Repairs and Replacements	22,388	9,297	11,681	11,290	4,605	8,348	8,559		
40622602. Bank Fees	1,106	1,124	136	722	666	0	0		
40622607. Telephone	1,633	1,607	1,690	1,635	1,291	2,377	0		
40622608. Internet Charges	4,904	4,252	2,296	1,591	744	2,367	0		
40622617. Electricity	26,438	30,193	38,877	34,971	17,044	40,028	0		
40622618. Gas refills	0	0	0	6,277	5,293	0	0		
40622621. Rates	5,729	5,992	5,999	5,836	6,248	6,184	6,341		
40622625. Water by Meter	22,960	9,495	18,065	10,868	12,320	20,580	21,100		
40622626. Trade Waste	9,549	6,984	13,415	8,005	10,822	13,804	0		
40622627. Rubbish Removal	3,158	8,640	6,522	7,345	3,120	6,370	0		
40622628. Fire Evacuation Procedures	60	80	0	0	0	0	0		



40622633. Cleaning	39,608	46,816	42,495	45,751	33,544	36,015	0
40622637. Insurance	5,207	6,308	7,135	7,912	8,264	8,512	9,438
40622650. Security	43,000	39,035	17,566	16,195	16,650	10,805	0
40622670. Discount/Commission Camp Fees	0	(305)	0	0	0	0	0
40622693. General Expenses	8,330	6,620	4,300	22,056	5,497	3,936	0
40622697. GST expense	21,088	0	4,940	18,412	0	19,448	0
40622699. Plant / Vehicle Operating Expense	966	4,629	2,168	1,259	894	2,013	0
<b>Unprogrammed Expenses</b>	<b>166,997</b>	<b>211,795</b>	<b>150,441</b>	<b>238,084</b>	<b>134,248</b>	<b>136,548</b>	<b>4,431</b>
40623010. Property Mtce: Minor Assets	5,853	4,112	18,103	4,652	3,905	13,068	4,431
40623031. Other unprogrammed maintenance	0	0	0	0	2,833	0	0
40623310. Unprogrammed Service Delivery	161,144	207,683	124,724	98,150	73,572	123,480	0
406233108210. COVID 19 response	0	0	4,212	21,054	8,808	0	0
406233108211. Camp ground compliance works	0	0	3,402	114,228	42,397	0	0
40623740. Policy consultants	0	0	0	0	2,732	0	0
<b>Programmed Expenses</b>	<b>13,153</b>	<b>13,390</b>	<b>24,975</b>	<b>77,581</b>	<b>10,412</b>	<b>77,466</b>	<b>50,640</b>
40624011. Property Mtce: Building Maintenance	7,683	7,234	18,378	3,374	7,236	41,160	25,320
40624026. Property Mtce: Grounds and Rooding	5,469	6,114	6,598	26,534	3,176	30,647	21,100
40624032. Condition Assessment	0	0	0	0	0	1,544	0
40624070. Replacement planting	0	0	0	0	0	4,116	4,220
40624310. Programmed Service Delivery	0	42	0	47,673	0	0	0
<b>Finance Expenses</b>	<b>3,210</b>	<b>4,257</b>	<b>4,599</b>	<b>4,138</b>	<b>4,636</b>	<b>18,775</b>	<b>22,488</b>
40625210. Interest	3,210	4,257	4,599	4,138	4,636	18,775	22,488
<b>Depreciation</b>	<b>10,081</b>	<b>12,326</b>	<b>10,312</b>	<b>16,214</b>	<b>13,715</b>	<b>17,541</b>	<b>19,763</b>
40625501. Depreciation recovered	0	0	(4,277)	0	0	0	0
40625505. Depreciation / Renewals	9,411	11,656	13,135	13,974	12,036	15,928	18,263
40625509. Plant / Vehicle Depreciation	670	670	1,455	2,240	1,680	1,613	1,500
<b>Sources of Funds</b>	<b>(11,142)</b>	<b>(27,366)</b>	<b>(5,943)</b>	<b>(69,056)</b>	<b>(78,987)</b>	<b>(374,971)</b>	<b>(74,927)</b>
<b>Non Cash Income</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(17,541)</b>	<b>(19,763)</b>
40625901. Non cash depreciation	0	0	0	0	0	(17,541)	(19,763)
<b>Non Operating Income</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(5,220)</b>	<b>0</b>	<b>0</b>
406260103318. MPI Grant for Planting	0	0	0	0	(5,220)	0	0
<b>Loan Raised</b>	<b>(11,142)</b>	<b>(27,366)</b>	<b>(5,943)</b>	<b>(69,056)</b>	<b>(73,767)</b>	<b>(357,431)</b>	<b>(55,164)</b>
40626105. Internal Loan Raised	(11,142)	(27,366)	(5,943)	(69,056)	(73,767)	(357,431)	(55,164)
<b>Capital Expenditure</b>	<b>11,811</b>	<b>28,035</b>	<b>3,121</b>	<b>69,056</b>	<b>78,987</b>	<b>357,431</b>	<b>55,164</b>
<b>Capital Staff Cost</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>890</b>	<b>0</b>	<b>0</b>
406270703318. CP: Brook Camp Building Renewals	0	0	0	0	890	0	0
<b>Renewals</b>	<b>11,811</b>	<b>28,035</b>	<b>3,121</b>	<b>69,056</b>	<b>78,097</b>	<b>397,145</b>	<b>61,293</b>
40627120. Renewal : Buildings	0	0	0	50,728	16,668	151,500	52,839
406271203318. Brook Camp Building Renewals	0	0	0	7,570	57,210	225,000	0
40627140. Capital: Plant & Equipment	11,811	16,440	3,121	10,140	4,219	5,495	0
406271408118. IT hardware renewals	0	11,595	0	0	0	0	3,170
40627150. Renewls Furniture	0	0	0	618	0	0	0
40627220. Renewal: Services	0	0	0	0	0	5,150	5,284
40627355. Rooding	0	0	0	0	0	10,000	0

<b>Capital Increased LOS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(39,715)</b>	<b>(6,129)</b>
40627996. Scope Adjustment	0	0	0	0	0	(39,715)	(6,129)

Released from Confidential on 31 January 2024

Released From Confidential 01/31/2024

Revenue and Financing Policy is for 90-100% cost recovery from users. This is intended to signal that for this activity the greater benefit derives for identifiable individuals (s.9, p.269 LTP). Includes operating expenditure only below.		Full Year Actuals 2017/18	Full Year Actuals 2018/19	Full Year Actuals 2019/20	Full Year Actuals 2020/21	YTD Actuals	AP 2022/23 Year1 (2022/23)	LTP 2021-31 Final Year3 (2023/24)
<b>CAMP GROUNDS ACTIVITY (ALL 3 CAMPS)</b>								
Percentage User	Note: In 2019/20 CDEM paid Brook Camp \$83k for urgent housing during the first lockdown	87%	86%	84%	53%	77%	49%	90%
Percentage Rates		13%	14%	16%	47%	23%	51%	10%
<b>4060 Motor Camp Tahuna</b>								
Percentage User		294%	238%	164%	184%	169%	186%	218%
Percentage Rates		-194%	-138%	-64%	-84%	-69%	-86%	-118%
Income		(135,370)	(181,833)	(211,186)	(176,645)	(182,232)	(195,074)	(198,983)
Expenses		281,382	321,898	348,502	312,029	235,010	324,759	334,483
4060 Motor Camp Tahuna		146,011	140,065	137,316	135,385	52,778	0	0
<b>4061 Maitai Camp</b>								
Percentage User		48%	60%	43%	42%	35%	40%	42%
Percentage Rates		52%	40%	57%	58%	65%	60%	58%
Income		(33,594)	(32,801)	(34,605)	(42,678)	(30,039)	(761,021)	(47,283)
Expenses		37,673	35,811	37,616	45,688	90,274	803,032	50,293
4061 Maitai Camp		4,079	3,010	3,010	3,010	60,235	0	0
<b>4062 Brook Camp</b>								
Percentage User		41%	42%	56%	25%	38%	25%	12%
Percentage Rates		59%	58%	44%	75%	62%	75%	88%
Income		(578,279)	(616,571)	(555,449)	(795,075)	(386,743)	(881,697)	(297,655)
Expenses		587,690	628,228	568,584	814,288	528,628	895,238	317,417
4062 Brook Camp		10,081	12,326	10,312	14,214	141,885	0	0