

# **OPEN ATTACHMENTS**

**Ordinary meeting of the**

**Nelson City Council**

**Thursday 11 June 2015  
Commencing at 9.00am  
Council Chamber  
Civic House  
110 Trafalgar Street, Nelson**

## **ATTACHMENTS UNDER SEPARATE COVER**

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Donna Butler  
588 Brook st  
Nelson

2/12/2014.

RECEIVED  
12 DEC 2014  
NELSON CITY COUNCIL

**Re "Proposed future use of the Brook Holiday Park"**

This is a fantastic facility, which can be used to fully showcase the natural assets of this region.

This is adjacent to the Brook Waimarama sanctuary, so it has a MAJOR role in enhancing this wonderful project, which is going to become increasingly wonderful as the health and numbers of the birds and bush increases.

To make this a successful project (the sanctuary) there has to be a fantastic entranceway, to welcome visitors from near and far to enjoy, support and appreciate this project for years to come.

Wouldn't it be amazing for overseas visitors to rock on up (with wallets at the ready), to a world class fantastic facility to enjoy the sanctuary, and birds, many of which are critically endangered, but able to live and prosper, in Nelsons backyard.

Wouldn't it be great to be able to stay in a really snazzy campground here , jazzed up or retro cabins , nice café , and bar?... what a great visitor and local attraction ....maybe have some really spectacular toilets (like Kawa kawa) , maybe an opportunity for Nelsons arts community to get really involved .

Seems like there hasn't been huge investment in the Brook area, but this area is hugely used as a recreation area, by heaps of people (mountain bikers; walkers; trampers; and lovers of the outdoors and nature), so maybe it is now time to spend and really enhance this area, particularly in light of the sanctuary's success, and hopefully the gondolas success.

The Brook camp is a precious area; it really could play a major and leading role in showcasing Nelson as an innovative place, where nature and people can interface in this (potentially) wonderful environment ...

Kind regards  
Donna Butler



12 December 2014  
To the NCC Council,

I'm writing my views on the Brook Management Plan as a private individual who occasionally uses the walking tracks in the Reserve, and who appreciates the view of the beautifully wooded undeveloped Reserve area as seen from various points around Nelson.

My natural bias is to preserve the Brook Reserve as a mostly undeveloped "natural" area, with public access limited to walkers and people on non-motorized bikes. More and more of the undeveloped land around the city is getting developed for intensive human use, houses, roads, mono-culture pine forests, etc, and I believe it would do a great disservice to the community if the Council were to allow further development of the area.

I am particularly alarmed by the proposal to build a privately owned and operated gondola on publicly owned property in the Reserve. Not only is this a misuse of public land for private profit, but there are serious legal issues around allowing a private for-profit company to build a substantial and highly visible infrastructure on land they do not own. The argument that some other cities have gondolas is not a fair one, as all these are on private land. What is going to happen to this highly visible and high maintenance infrastructure if and when it turns out to be uneconomical? Will NCC then be subject to the blackmail of "Well its there on public land and NCC should take it over and run it at a loss." The promotion of tourism by NCC via information centres, websites, etc is marginally an acceptable use of public funds, but to get involved in a high profile, expensive, and potential tax burden is NOT in the wider public interest.

It seems to me from the gondola group's public statements, that the main reason for the proposal is to draw the tourist dollar to Nelson. As a tax payer and retired private individual, tourist dollars mean nothing to me. None of those dollars ends up in my pocket, and there is a pretty good chance that I will end up having to fork out some of MY tax dollars for "unforeseen" support or bail-out of an unsightly monument to someone's "bright idea."

I'm not a mountain biker, but it is obvious to me there are heaps of trails for bikers of all levels of fitness and competition here in Nelson. It seems to me that the whole point of mountain biking is to get physical exercise, get out in unspoiled nature, and get away from energy-intensive technology. The argument that bikers really need to use a mechanical gondola to get to the top of the mountain so they can hoon down with little sweat is not in keeping with the nature of the

sport.

From an aesthetic point of view, the proposed gondola would give the whole area the feeling of a theme park, and would be highly visible from many parts of Nelson. The organizers will probably think its a great idea to have it lit up at night!

Finally, I might remind you all that there already is a "gondola" type of tourist attraction right here in Nelson at the "Happy Valley Adventure Park" on the Cable Bay Road. For \$85 anyone can ride the exciting "Skywire," longest and highest flying fox in N.Z. Has anyone at NCC done research into the profitability of this operation?

Respectfully,  
Mr. Sandy Fontwit  
26 Athol Street  
RD1 Nelson 7071  
03-5451334  
021-107-5354  
[sandyfontwit@slingshot.co.nz](mailto:sandyfontwit@slingshot.co.nz)



Nelson City Council  
Admin Support  
PO Box 645  
NELSON 7040

RECEIVED  
22 DEC 2014  
NELSON CITY COUNCIL

Vivienne M Clapham  
9 Brooklands Way  
Atawhai  
Nelson

18 December 2014

### Submission re Brook Recreation Reserve Management Plan

Dear Sir/Madam

I'd like to see the reserve preserved for recreation in some way - definitely NOT subdivided for housing!

I'd also like to see some continued provision made for long term 'campers' in the reserve.

I'm unlikely to need to use this provision myself...but I have spent quite a lot of time walking through the camp and have recognized that we do, as a city, need to make provision for those that cannot afford the high housing costs in Nelson.

I've also seen the use of mobile homes in camp grounds overseas with permanent residents in them.

Maybe we could provide some of these for low rental, or allow people to bring their own to a site, thus raising the standard of accommodation for those that need it.

I'm not sure what the answer is - but I think the people who live there, and those that may be in need later, need some consideration in this plan.

Yours sincerely



Vivienne Clapham

A1340667

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Nelson City Council  
PO Box 645  
Nelson 7040

8 January 2015

Dear Sir/Madam,

My name is Tim Hardiman. I am 44 and a father of 4 between the ages of 7-12. I have been using the Brook/Fringe area in a recreational manner for 25+ years. The area is special for Nelson and the prospect of it being set aside for a recreational reserve is very exciting. I think I have a balanced view of how the area should be used that will benefit all users. Firstly the prospect of a gondola up Fringe Hill is one of the most exciting pieces of news for the Nelson area for some time and if done well could be a world class attraction. The area as a whole needs to accommodate all spectrums of uses from day walkers, native seekers, mountain bikers, restaurateurs, visitors, history seekers, kids of all ages, arborists and the like.

I'd like to see a labyrinth of walking and biking tracks to suit all ages, carefully positioned and built with consideration of all uses beginning at a bottom hub. The area in due course will need to accommodate parking, the Gondola base (?), entry to the Fringe adventure park, retail, and access to restaurant/cafe on top of Fringe hill. The lower area could have bike hire and gift shops and a cafe as well as an area for kids or teens by way of a jump style bike park.

In time I'd like to see the best recreational area in the world that will rival other recreational parks in the northern hemisphere.

I think wise investment to professional design would be a necessity but an excellent bike park would bring in huge numbers of visitors among mountain bikers from off shore during our summer.

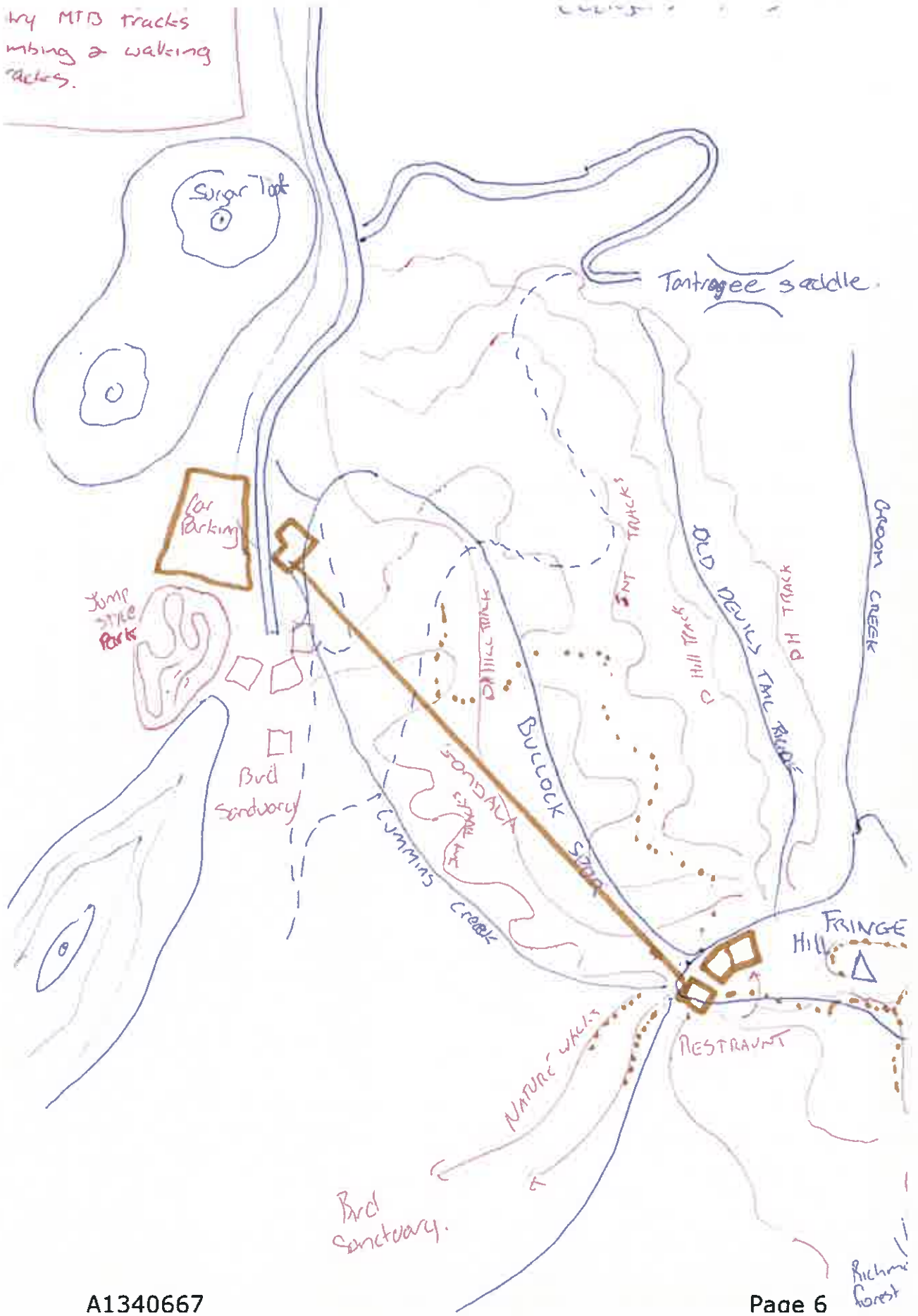
Nelson has a jewel that few cities have with this area. A hike 800 meters within a stones throw of the city is special and not only could accommodate world class events, but provides great access to the Richmond Forest park, which in my mind is one of the best kept secrets of our region. I think it's time for the secret to get out.

Regards,

Tim Hardiman  
37 Todd Bush Rd  
RD 1  
Nelson  
trhardiman@clear.net.nz  
0212520909

A1340667

Page 5





12 January 2015

Nelson City Council  
PO Box 645  
Nelson 7040

Email: [submissions@nelson.govt.nz](mailto:submissions@nelson.govt.nz)

Dear Sir or Madam

**Brook Recreation Reserve Management Plan**

Please find enclosed comments on behalf of the Nelson Marlborough Institute of Technology.

Please contact the undersigned if you have any questions in relation to these comments, or would like to discuss any matters further.

Kind regards

Martin Mongan  
Director of Regional Economic Development and Business Relationships

SUBMISSION TO: NELSON CITY COUNCIL - DRAFT BROOK RECREATIONAL RESERVE  
MANAGEMENT PLAN

FROM: NELSON MARLBOROUGH INSTITUTE OF TECHNOLOGY

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Nelson Marlborough Institute of Technology (NMIT) recognises the Nelson City Council's (NCC) undertaking for a comprehensive approach to planning for the potential uses for the Brook site and has identified the following key themes:

- **Education**
- **Tourism/Community/Visitor Activities**
- **Accommodation**
- **Public Open Space**
- **Conservation & Science**

NMIT recognises that the intent in the first instance is that of an initial planning process to identify 'Big Picture' opportunities for the site, as distinct from detailed specific proposals and that short and long term proposals for use of the site will eventuate from the permitted uses identified in the plan.

#### **1. Education**

NMIT has invested significant resources into developing education programmes and partnerships to deliver high quality ecology and conservation educational opportunities to the local, regional and national communities.

NMIT is the only tertiary institute in the country that works in partnership with the Department of Conservation (DOC) to provide graduates with the National Certificate in Conservation (Trainee Ranger) (Level 3). Skills acquired on the programme lead to a range of work opportunities as a ranger and other outdoor occupations. Trainee Ranger Certificate graduates have the opportunity to apply for a limited number of two-year ranger trainee contracts within Department of Conservation (DOC) or seek employment with local employers, including Nelmac.

With the closure of the Brook Conservation Education Centre, NMIT/DOC has worked to maintain the partnership with the Brook Waimarama Sanctuary (BWS) to continue offering the nationally unique Trainee Ranger programme. All three parties are committed to re-establishing the training centre at a site adjacent to, but preferably within, the Sanctuary to provide the educational benefit of access to the Sanctuary. Having gained a Council resolution from NCC allowing the re-location of the centre to a portion of the Brook Recreation Reserve, the partners have made plans to re-establish the centre, with the goal of accommodating the Trainee Rangers at a new facility in the reserve.

NMIT submits that provision should be made within the plan for educational facilities to further the efforts of the valuable partnerships already established to provide high quality educational programmes. This would by necessity include purpose built facilities for classrooms, break-out rooms and administration.

## 2. Accommodation

NMIT has identified the provision of appropriate accommodation as a positive asset for both the Nelson local community and domestic and international visitors. The current facilities at the campground would require significant upgrades to meet the needs of the now more sophisticated traveller, e.g. campsites, cabin and motel options.

## 3. Open Space

NMIT recognises the public value of this unique open space.

NMIT submits that provision should be made within the plan for public recreational access to area of the site in keeping with traditional uses - including picnic areas, swimming, and wildlife viewing. Provision should also be made for enhanced planting of the area to enhance the conservation benefits, while providing screening for delineated areas for a range of proposed and potential segregated activities across the site.

## 4. Conservation & Science

NMIT has been supportive of the Brook Trust over the last several years to remove pest plants and performing pest animal control in the adjacent areas. To further enhance and develop these and other conservation and science initiatives, facilities will be needed and would align well with the proposed education facilities noted above in education.

## 5. Tourism/Community/Visitor Activities

To grow the visitor market the region needs to continue to develop infrastructure conducive to the needs of the local and visitor markets.

NMIT supports the Nelson Cycle Life Society's proposal of developing a Gondola and mountain bike facility in the upper Brook Valley in principle, providing all relevant issues can be addressed, complementing the increasingly popular mountain biking activities in the adjacent Tantragee/Maitai area, Fringed Hill/Dun Mountain, and Marsden Valley/Involution track systems.

Combined with the BWS the site has the potential to be a popular visitor attraction hub and providing a significant range of activities for locals and visitors.

The site layout lends itself to segregation between different activity zones, with the upper bench easily separated and dedicated to education and visitor activities, leaving the lower area for accommodation and camping activities clearly segregated from the visitor attractions.

Further to the concept of a tourism hub, the Brook Recreation Reserve could offer an excellent range of other activities for residents and visitors.

NMIT envisions future opportunities for special education, training, and conference activities at the site, including leadership training, lectures, and special events. The site would lend itself particularly well to outdoor events to augment the already established annual Sanctuary open days, including sculpture exhibitions, concerts, and weddings.

Examples of reserves with a range of offerings allowed for under a Reserve Management Plan include:

- Nelson's Tahunanui Reserve
- Tasman's Kaiteriteri Reserve
- Hanmer Springs Thermal Pools Reserve
- Queenstown's Ben Lomond/Queenstown Hill Reserve.

Parking and traffic management facilities are required for the existing permitted activities at the site, including the campground and the Sanctuary, and should also be future-proofed for other possible activities to be developed over time, such as the proposed Gondola. Priority should be given to the Sanctuary's traffic and parking requirements, since NMIT holds Resource Consent for the development of the Sanctuary as a visitor attraction.

Car parking and traffic flow management, including provision for coach parking and turnarounds, should consider the Brook Waimarama Sanctuary, the Brook Conservation Education Centre, and potentially other attractions such as the proposed Gondola.

Planning should also include emphasis of public transportation and bicycling to the site, with allowance for associated infrastructure such as a covered bus stop, covered bicycle parking, and a mountain bike cleaning station.

NMIT submits that for such activities to be developed over time, allowance must be made in the Management Plan for commercial enterprise, including opportunities for concessionaire contracts for food and beverage, souvenirs, the Gondola and other adventure sport activities.

## 6. Conclusion

- NMIT's education partnership with DOC and BWS to deliver the Trainee Ranger programme and other field courses through the Brook Conservation Education Centre is a valuable asset to Nelson. Given the fact that the centre's current site is now unusable, it is a priority to relocate this facility to a portion of the reserve – as recognised and endorsed by Nelson City Council.
- The community supports the long-established presence of a campground at the site, and NMIT believes a re-developed campground with a range of accommodation offerings will continue to be a valuable core use for the reserve.
- We see this accommodation facility as a foundation to support a range of recreational opportunities that radiate from the site, including the Sanctuary, the walking and mountain bike tracks, the proposed gondola, and potentially other activities as outlined in this submission.
- A balance should be met between providing open space and esplanade area along the Brook Stream for residents' walks, family times, and picnics, with catering to the interests and spending of domestic and international visitors. Existing natural features such as the Brook Stream and the Redwood grove should be enhanced to provide natural open spaces, while other portions of the site should be reserved for the development of visitor activities with provision in the plan for commercial activities potentially to include food and beverage, retail, conference centre, adventure sports, and enhanced accommodation.
- Traffic flow management prioritisation should be given to the now well-established Sanctuary and to the campground, with future-proofing included for the proposed Gondola and other attractions.

63 Brook Street,  
Nelson

12 January 2015

### **Brook Recreation Reserve Management Plan**

A public meeting of the Brook Valley Community Group was held on Saturday 6 December 2014. What follows is a statement of the position adopted by those present, in full consensus, in response to the notice of intention to prepare a Management Plan for "The Brook Recreation Reserve", printed in the Nelson Mail on 24 November 2014 and calling for suggestions.

#### **Suggestions**

1. The Nelson City Council rescind its resolution of 30 September 2004, which reads in part "AND THAT: staff continue investigations into actions necessary to modify the status and Reserves Act classification of the subject land to adequately reflect the purpose for which the land is held and to provide for full management control to the Brook Sanctuary Trust."
2. The Nelson City Council respects its obligations under s12(3) and s13 of the Local Government Act, in which the capacity of the local authority is subject to "any other enactment and the general law", and, in the performance of its functions under other enactments, is required to ensure that the application of provisions "is not inconsistent with the other enactment".
3. The Brook Valley Community Group is supportive of an intention to establish a Brook Recreation Reserve covering those packets of land listed in the public notice and others not so listed. To that end, we suggest that the proposal to develop a Management Plan be revisited entirely, in order that the formal procedure of establishing an expanded Recreation Reserve under the Reserves Act be followed, including gazetting by the Minister. Among many other benefits will be that of proper attention being paid to the conditions of deeds of gift.
4. Planning should be for the very long term. While opportunities abound for appropriate activities to operate within and adjacent to the Reserve, the potential for further opportunities, identifiable only at a future time, must be explicitly considered in planning.
5. The purposes of the Reserves Act should provide the essential framework within which decisions are reached as to the appropriateness or consistency with those purposes of proposed activities within the Brook Recreation Reserve.
6. The land should continue primarily to be used for the purpose of a wildlife sanctuary. This intention has widespread support as a good use of the exquisite and increasingly rare old growth forest in these hills. It is in keeping with the deed of gift made by Mr Thomas Cawthron in which he envisaged a wildlife sanctuary.
7. Currently, there is free public access to this area of land. A fence-free mainland sanctuary such as operates in Rotoiti has no requirements for the restriction of entry. Proposed restrictions on public access are constrained by the Reserves Act and are not mitigated by any supposed generation of revenue for Nelson City.
8. The Brook Holiday Park should be retained for short and long term accommodation for the public and visitors to the sanctuary.
9. Any proposal to develop NMIT/DOC facilities in a Brook Recreation Reserve is to be rejected as inconsistent with the purposes of the Reserves Act. Alternate education centres may be planned within the existing campus, or at another central city location. The NBus route would be ideal to shuttle students, reducing traffic congestion, transport utilisation and carparking requirements at the head of the valley.
10. No gondola/cycle lift should be permitted to operate within the boundaries of the proposed Brook

A1340667

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Recreation Reserve Any such proposal is inconsistent with the purposes of the Reserves Act

11. With regard to the internal memorandum provided to the Council by Lisa Gibellini, Senior Planning Adviser on 29 March (sic), we suggest that particular attention be returned to her advice under s2 12 that "It should be noted that in exercising the new delegations under the Act, Council must however still act in accordance with the requirements of the Reserves Act and maintain a distinction between their roles as the administering body of a reserve and their role as a delegate of the Minister"

Nothing in the revision of powers referred to in her previous section 2 11, or elsewhere, entitles the Council to formulate and apply a Recreation Reserve Management Plan to areas of land which have not been so designated and gazetted by the Minister. This is particularly the case with regard to both of her emphases, first in her s2.6 referring to s54 of the Reserves Act, and secondly to her s.2.16 on (h), a subclause of the Resource Management Act referring to Reserve Management Plans.

It is quite plain that acceptance of her principal recommendation has been based upon an intended employment of these clauses to permit activities otherwise deemed inappropriate or inconsistent with the purposes of the Reserves Act

12. The Brook Valley Community Group strongly suggests that, before proceeding further with a Management Plan, the Nelson City Council obtain the legal advice which Ms. Gibellini recommended on its powers and the restrictions upon those powers. That advice should be independently sourced.

Christopher St Johanser, M. Phil (English), M A (Applied)

Chair  
Brook Valley Community Group

102 Brooklands Road  
Nelson 7010

14 January 2015

Brook Recreation Reserve Management Plan

To whom it may concern

Attached is comment in response to the request for suggestions about how the reserve should/could be used in the future.

This suggestion supports the development of the park to honour the Nelson City Council Eureka Sister City agreement and relationship.

I am happy to participate in any conversations in regard to the Brook Recreation Reserve.

Yours sincerely

Gail Collingwood  
Sister City Coordinator – Nelson City

Phone 545 1210

A1340667

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## **Response to the request by Nelson City Council for suggestions for the proposed Management Plan for the Brook Recreation Reserve.**

The Nelson City Council has invited suggestions from the community to help in the preparation of a draft plan to manage the land within the boundaries of the Brook Recreation Reserve.

The Nelson Eureka Sister City Association has an interest in this Reserve dating back to 2005.

The Eureka Sister City Association (ESCA) respectfully "suggests" that the Nelson City Council resolution to establish a Eureka Park approved by the Community Services Committee and confirmed by a council meeting in 2007 be upheld and work to complete this park is progressed in the coming 2015 -16 financial year.

The site for the Eureka Park incorporates an impressive stand of mature redwood trees and is included in the area of land proposed to be in the final draft management plan. Within the park the proposal is to upgrade and develop the existing track into a usable walkway and several family picnic areas were to be developed .

The Nelson Eureka Sister City Association request that the proposed park to acknowledge the formal Sister City relationship between Nelson City Council and Eureka, USA is confirmed in the proposed management plan for the Brook Recreation Reserve and that this park is developed in the coming financial year.

NB It is noted that the ESCA minutes refer to the land identified for the park as being in the "Water Reserve Land", up "The Brook" or "The Brook Valley". Is the Brook Recreation Reserve a newly named reserve or one of the above?

### **Background.**

The minutes of the Eureka Sister City Committee formally record the earliest discussions in respect to the Eureka Park commenced in May 2005 involving several Nelson City Council staff and ESCA toward attaining the goal to establish a park to acknowledge the joint sister city relationship - nearly 10 years ago.

The ESCA minutes record as follows:

- May 2005 staff suggested the Brook Valley with the established redwood trees as a suitable site.
- August 2005 the site was visited by NCC staff and ESCA, agreement was reached that the land would be a suitable site for a park. A submission formally seeking permission to use the land was compiled and sent to council.
- November 2005 the Mayor of Eureka visited the proposed site and enthusiastically endorsed the land planted with mature redwood trees.
- February 2006 Pat Jones, Sister City Coordinator presented to council along with David Butler from the Waimarama Sanctuary Trust. The Trust had not had sufficient time to consider the park and a

decision to progress this was deferred for two years. A notice board and a design layout were to be drawn up and ESCA were to continue meeting with staff.

- May 2006 staff and ESCA met at the park with the Association agreeing to pay for a sign that included the ESCA logo
- November 2006 sign almost completed
- 2006 ESCA Annual Report provided further information regarding the park design which included natural picnic areas. It was proposed to increase the number of redwood trees and remove the wilding pines
- 2005 – 10 ESCA Business plan includes the Eureka “Garden”
- March 2007 NCC were notified the sign was completed and ready to be installed - council approval was awaited
- 2007 Community Services Committee granted approval and the recommendation referred on to full council. An offer was received from a Native American to carve and donate a totem pole for the park
- 2008 Meeting held with Waimarama Trust
- November 2010 following the ESCA AGM questions about the status of the park were asked - staff email response “I am uncertain as to the status of Eureka Park I will check and let you know”

The Nelson City Sister City Co-ordinating Group supported the Eureka Park proposal and minutes report frequent updates in regard to the slow delivery of the plans for the park and advised submissions to the annual plan.

The Eureka Park has been an agenda item and the subject of several reports to Nelson City Council since 2005.

However the call for suggestions for how the reserve should be used is totally silent on the active council resolutions held for a portion of this land.

### Current Situation

- The Eureka Park is included in the “Draft Parks and Reserves Asset Management Plan 2015-2025” which will be used to inform the new proposed Long Term Plan – and hopefully this Brook Recreation Reserve Management Plan.
- Nelson City Council has an active resolution for a portion of the land proposed to be covered in the management plan.
- The signs were in storage but may no longer be usable

- The development of the park is compatible with the current use of the area and should be included in the future use.
- Council files should contain
  - records of discussions
  - plans of the proposed site
  - the concept development plan
  - Community Services and full council resolutions.

I am available to discuss this further and wish to be included in any conversations please.

Gail Collingwood Sister City Co ordinator  
102 Brooklands Road  
Nelson 7010  
Phone 545 1210

Marilyn Gibbs Nelson Eureka Sister City Association

Nelson City Council Public Consultation Submission form

1063272 • May 2013

RECEIVED

14 JAN 2015

The Nelson City Council wants your opinion. Please tell us what you think.

NELSON CITY COUNCIL Customer Services

Office Use Only

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Submission Number	
File Ref	INITIALS

Name Wynne Bowyer

Daytime phone 0272732093

Address Brook Valley Holiday Park

Organisation represented (if applicable) \_\_\_\_\_

Do you wish to be heard in support of your submission?  YES  NO # of pages

\_\_\_\_\_ If you do not tick a box we will assume you do not wish to be heard.

Public information

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

My submission is:

That all the packages of land be made "Brook Recreation Reserve" and not under control of the Sanctuary Trust.

Under Recreation Reserve the Holiday Park would be an appropriate activity for the land and should be kept open for short term and long term camps, and will be compatible with the Sanctuary.

NMIT/Doc facilities do not go on a reserve.

No gondola on the reserve. All the land made a "Recreation Reserve" and properly & legally gazetted by the minister.

Date 13 Jan. 2015 Signature W/Bowyer

Help with making a submission overleaf...

 **Nelson City Council**  
te kaunihera o whakatū  
A1340667

PO Box 645 • Nelson 7040 • 03 546 0200  
www.nelsoncitycouncil.co.nz

63 Brook Street,  
Nelson

12 January 2015

**Brook Recreation Reserve Management Plan**

RECEIVED

15 JAN 2015

NELSON CITY COUNCIL  
Customer Service

A public meeting of the Brook Valley Community Group was held on Saturday 6 December 2014. What follows is a statement of the position adopted by those present, in full consensus, in response to the notice of intention to prepare a Management Plan for "The Brook Recreation Reserve", printed in the Nelson Mail on 24 November 2014 and calling for suggestions.

**Suggestions**

1. The Nelson City Council rescind its resolution of 30 September 2004, which reads in part:  
"AND THAT: staff continue investigations into actions necessary to modify the status and Reserves Act classification of the subject land to adequately reflect the purpose for which the land is held and to provide for full management control to the Brook Sanctuary Trust."
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4. Planning should be for the very long term. While opportunities abound for appropriate activities to operate within and adjacent to the Reserve, the potential for further opportunities, identifiable only at a future time, must be explicitly considered in planning.
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10. No gondola/cycle lift should be permitted to operate within the boundaries of the proposed Brook Recreation Reserve. Any such proposal is inconsistent with the purposes of the Reserves Act.

11. With regard to the internal memorandum provided to the Council by Lisa Gibellini, Senior Planning Adviser on 29 March (sic), we suggest that particular attention be returned to her advice under s2.12 that: "It should be noted that in exercising the new delegations under the Act, Council must however still act in accordance with the requirements of the Reserves Act and maintain a distinction between their roles as the administering body of a reserve and their role as a delegate of the Minister".

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Christopher St. Johanser, M. Phil. (English), M.A.(Applied).

Chair  
Brook Valley Community Group



RECEIVED

14 JAN 2015

The Nelson City Council wants your opinion. Please tell us what you think.

NELSON CITY COUNCIL Customer Service

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Office Use Only			
		Submission Number	
File Ref		INITIALS	

Name Patricia Horlemann

Daytime phone 548 4036

Address PO Box 294, Nelson

Organisation represented (if applicable) Brook Recreational Reserve Camp Residents

Do you wish to be heard in support of your submission?  YES  NO # of pages

           If you do not tick a box we will assume you do not wish to be heard.

Public information

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

The Brook Reserve Recreational Management Plan.

My submission is:

To keep campground open to public for tent sites and powered sites. Renting cabins which are currently not being used

No Polytex ~~sheds~~ ~~sheds~~ be permitted to set up training buildings as this is not "recreational" as an activity and the geographic location is unstable + becomes boggy when there is a heavy rain storm. Raise Public Awareness and Action in maintaining Natural Bush Environment for study and educating children + families for the future, not for financial gain which would alter the dynamic of the area.

Putting the "Pest Free Fence" already means 10m clearance around the fence which would contribute to erosion due to water after heavy rain

Date 13/1/15 Signature P. Horlemann

Help with making a submission overleaf...



PO Box 645 • Nelson 7040 • 03 546 0200 www.nelsoncitycouncil.co.nz



15 January 2015

**SUBMISSION TO: NELSON CITY COUNCIL  
DRAFT BROOK RECREATIONAL RESERVE MANAGEMENT PLAN**

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The Brook Waimarama Sanctuary Trust's trustees, staff, and volunteers would like to acknowledge and thank Nelson City Council for its strong on-going support and recognition of the Brook Waimarama Sanctuary as a regionally important project. The sanctuary is widely supported by Nelson and Tasman residents and is poised to be an outstanding asset for the community.

The Trust appreciates the Council's long-standing recognition of the importance of the Brook Recreational Reserve, including the Brook Valley Holiday Park site, to the future viability of the sanctuary as a wildlife sanctuary and visitor attraction, given the site's de facto status as the entrance to the sanctuary.

The Trust appreciates Council's undertaking to develop a Reserve Management Plan for the site, as we also recognise the need for a comprehensive approach to planning for the potential uses for the site and having these integrated with the uses of the adjoining lands.

As a community-based non-profit organisation, we have canvassed our supporters for their input into this public submission process. This submission represents the interests of ~1,000 members, ~400 volunteers, ~1,700 donors/sponsors. These supporters have a range of interests and opinions, with shared support for a wildlife sanctuary and visitor attraction.

The Trust has identified the following key themes to be provided for within a management plan for the site:

- Accommodation Options
- Open Spaces, Recreation and Heritage
- On-Site Education and Training
- Conservation and Science
- Visitor Industry: Creating a Conservation and Recreation Hub
- Community and Visitor Facilities and Activities

We understand the intent of a planning process such as this to be to identify 'Big Picture' opportunities for the site, as distinct from detailed specific proposals. Once the overarching plan is developed and approved, specific proposals for use of the site can flow from the permitted uses identified in the plan. It is also important that the potential of the site be protected for the greater benefit of Nelson through a flexible reserve management plan addressing both short as well as long term needs. This therefore is the approach we have taken for this submission.

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The Brook Waimarama Sanctuary Trust | PO Box 744, Nelson 7010 | info@brooksanctuary.org.nz | www.brooksanctuary.org.nz  
Visitor Centre: 651 Brook Street, 03 539 4920 | Get Behind the Fence Campaign Office: Level 1, Suite 3 Morrison Square, 03 546 2422

**A1340667**

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## Accommodation Options

The Trust has long identified the juxtaposition of accommodation adjacent to the sanctuary as a positive asset for the Nelson community, for visitors' experience in the region, and for the Sanctuary's economic viability.

Nelson is a strong destination for domestic tourism with visitors largely coming to the area from other South Island centres or North Island visitors touring the South as part of a longer itinerary. The majority of these visitors travel in by road transport. Nelson also enjoys strong air travel demand for short leisure stays particularly from Auckland and Wellington. Outside the three main centres Nelson is the largest fly in domestic leisure market, just ahead of Queenstown. It is approximately the twelfth largest destination for international tourists who largely are Free and Independent Travelers (FIT's) rather than tour based visitors.

The domestic leisure market is highly seasonal - peaking over Christmas /New Year and other peaks during school holidays. The domestic sector is strongly led by beach related holidays with Tahunanui being the largest holiday park in the South Island and several other large holiday parks across the region including Kaiteriteri Domain, Richmond Top 10, Motueka Top 10 and Pohara Top 10. The region is a strong family destination with great weather as well as numerous safe beaches.

The Brook Valley Holiday Park, due to its natural river setting, adjacent forest and recreational facilities, has the potential to deliver an entirely different visitor experience to that offered by the other holiday parks in the wider region, and one which can help reduce the present seasonality that exists in the region's visitor industry. It can be largely complementary to and not competitive with other holiday parks. Although the Brook Valley Holiday Park has been enjoyed by many over the years, it has largely catered for peak summer and overflow visitors rather than developing its own short stay attractions for domestic and international visitors. It has also provided for long stay visitors, which has helped sustain it outside the peak times.

The majority of the region's visitors flock to the three national parks—Abel Tasman, Kahurangi and Nelson Lakes—largely bypassing Nelson City, or stopping here only briefly. The Trust anticipates that the sanctuary will provide a significant additional draw card to the region, giving visitors a reason to stay in Nelson City an extra night, and providing a visitor attraction across the non-peak 'shoulder seasons' as well. This will have beneficial flow-on effects to the local economy, with all the economic multipliers that result from the visitor industry—from accommodation to dining to shopping to transportation.

Relative to the Brook Valley Holiday Park's location next to the Brook Waimarama Sanctuary, of the various fenced sanctuaries in New Zealand, only one other offers accommodation on site—Bushy Park outside of Whanganui, which offers limited accommodation in an historic mansion within a relatively small reserve. This means the Brook Waimarama Sanctuary could potentially offer a significant point of difference by offering travellers seeking a wider range of accommodation options with the opportunity to hear kiwi call through the night and awake to a dawn chorus the likes of which has not been heard in a century.

There are issues with the current business model for the holiday park as demonstrated by the losses being incurred, even after consideration of the Council overheads in the campground's

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books, it would probably at best only break even on a cash basis in its current state of development. The holiday park model needs to evolve to take advantage of its position as a hub for recreational and conservation activity to turn it around financially and provide an appropriate return on the investment needed. There are very good examples around the country of camping grounds being turned around through repositioning and reinvestment such as Mawley Holiday Park in Masterton, Martinborough Top 10 Holiday Park and Motueka Top 10 Holiday Park.

The current state of the facilities at the holiday park is marginal and outdated. Upgrades of the facilities, including toilet blocks, cabins, dining block, and caravan sites are needed to meet the needs of the more sophisticated holiday park market. Development to the latest environmental standards should be considered to reduce the impact on the environment and the ongoing running costs of the facilities. This is also an added point of difference in keeping with a conservation ethos. Additional facilities are also needed to attract families, such as well-situated playgrounds, picnic areas, and swimming areas.

The accommodation opportunities provided by a revamped holiday park including cabins, showers, and dining facilities could provide a very valuable core of amenities that could support other activities at the site (outlined below) including group overnight stays for educational programmes.

The Trust submits that a holiday park at the site with an enhanced mix of accommodation offers desirable benefits to Nelson. Clearly in its current state, there are issues that Council will need to address, including compliance with all applicable zoning requirements, building and campground regulations. The plan should allow for improvement of the facilities to a 4 star standard (including a range of tourist cabin and motel options) to create a holiday park that would attract the range of visitors complementary to the planned and proposed visitor attractions surrounding the site. Attention should be given to segregating this accommodation from other portions of the site, as described below.

### **Open Spaces, Recreation and Heritage**

The Brook Recreation Reserve provides a valuable natural setting, close to Central Nelson and therefore easily accessible, including by public transportation, cycle and foot. The site has traditionally been used for family picnics, walks and wildlife watching, and swimming in the Brook Stream. The Trust recognises the public value of this open space with free and unhindered access for families, with enhanced opportunities for wildlife viewing from the ecosystem restoration of the sanctuary site.

Nelson's Sister City relationship with Eureka California resulted in a proposal for a park based on a stand of redwoods on the site (redwoods being native to northern California). The redwood grove is recognised as a landscape heritage tree site under the Nelson Resource Management Plan, along with a Cedrus deodara tree also on the site. We see these heritage trees as complimentary to the overall public use of the space, and note the potential for additional tie-ins for visitors around this Sister City relationship.

Those aged kanuka trees scattered throughout the site that have reached the end of their lifespans and are now hazardous to visitors should be removed. Native shrubs and trees should be added in a planned design to augment the natural features of the site, provide



screening for segmented camping and accommodation areas, and delineation of accommodation versus other activities in the site.

The Trust recognises the broad public value of esplanade areas such as that adjacent to the Brook Stream, for recreation and conservation of riparian ecosystems and associated stream management. Since the site is public (NCC) land, the portion immediately adjacent to the Brook Stream would not have traditionally been included in the protective designation called the “Queen’s Chain:” but traditionally there would have been public recreational access to the stream—though we note in the current configuration of the holiday park public access to the stream is restricted.

The Trust submits that provision should be made within the plan for public recreational access to portions of the site in keeping with traditional uses—such as picnics, swimming, and wildlife viewing. Appropriate stream alterations such as small weirs to enhance swimming holes should be allowed for, as part of a designated esplanade area to protect the Brook Stream ecosystem and provide for public access to the stream.

Provision should also be made for additional and replacement native species plantings to further enhance the biodiversity values, including those of the riparian margins and in-stream values to improve for example the habitat for native fish and other species such as whio/blue duck. Such plantings could also provide screening to help with delineating areas for a range of activities across the site where segregation would be desirable.

### **On-Site Education and Training**

Environmental education is increasingly important to the community in the age of technology we now find ourselves living and raising families. It is widely recognised that the environmental legacy we leave for future generations must be complimented by an educational legacy that prepares our descendants to value and conserve the natural world.

The Trust has invested significant resources into developing education programmes and partnerships to deliver high quality ecology and conservation educational opportunities to the local, regional and national communities.

These programmes include:

- Brook Waimarama Sanctuary Environmental Education Programme: In partnership with NCC’s Waimaori Stream Education Programme and the Nelson Provincial Museum, currently serving ~3,500 children and youth per annum at the sanctuary site
- Brook Waimarama Sanctuary Research Programme: In partnership with Victoria University, Landcare Research, and the Royal Society, currently serving ~5 research fellows and graduate students per annum at the sanctuary site
- Brook Conservation Education Centre: In partnership with Nelson Marlborough Institute of Technology (NMIT) and the Department of Conservation (DOC), currently serving ~50 field course students, ~30 adventure tourism students, and ~30 nationally unique Trainee Rangers per annum at the sanctuary site (and formerly at the Brook Conservation Education Centre site adjacent to the Brook Recreation Reserve prior to its closure in 2011 due to a land slip).

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These regional and national partnerships are significant for the Nelson region, both socially and economically. With the closure of the Brook Conservation Education Centre, the Trust has worked to maintain the partnership with NMIT and DOC to continue offering the Trainee Ranger programme. All three parties are committed to re-establishing the centre at a site adjacent to the sanctuary to provide the educational benefits of access to the sanctuary. Nelson is the only region in New Zealand where the DOC ranger training takes place and the Sanctuary and site are essential for this continuing. Having gained Council approval for the re-location of the centre to a portion of the Brook Recreation Reserve, the partners have made plans to re-establish the centre, with the goal of accommodating the next intake of Trainee Rangers at a new facility in the reserve.

The Trust submits that provision should be made within the plan for educational facilities to further the efforts of the valuable partnerships already established to provide high quality educational programmes. This would by necessity include facilities for associated administrative offices.

Further alliances are being developed which will bring together conservation, education, and science interests. The Cawthron Institute has played a leading role in the development of scientific research and environmental education in New Zealand and has developed both a national and international reputation to put Nelson on the global stage. The Trust would like to contribute to assisting in building this reputation, and has begun forging a partnership with the Cawthron Institute—most notably demonstrated with the significant financial contribution to the pest-proof fence project made by the Cawthron Institute Trust Board.

### **Conservation and Science**

With Council's support, the Trust has established a major conservation initiative at the adjacent site now leased to the Trust for the development of a wildlife sanctuary and visitor experience. Significantly, Council undertook the reclassification of the sanctuary site from Local Purpose Reserve: Waterworks to Local Purpose Reserve: Wildlife Sanctuary.

Plans for the wildlife sanctuary include establishing viable populations of reintroduced native endangered species within the fenced area, thereby creating protected nurseries for birds and reptile species. Those species able to spread outside the fence will disperse into suitable habitat in the surrounding 'halo' area, providing native wildlife experiences for locals and visitors in a much wider area than the fenced core.

The Trust welcomes Council's commitment to leverage the sanctuary's biodiversity gains to enhance biodiversity across the region through conservation initiatives within the halo area, including traditional animal and plant pest control methods, as outlined in the draft Nelson Nature framework, which is intended to give effect to the Nelson Biodiversity Strategy.

The Brook Recreation Reserve offers key opportunities for biodiversity enhancement immediately adjacent to the fenced sanctuary site, where biodiversity values will be highest. The Trust has been working over several years to remove pest plants and replace them with natives within the reserve site and in the surrounding areas (notably the current Brook Conservation Education Centre site), and performing animal pest control in the adjacent areas (notably the sanctuary site and The Classic Track).

The Trust has also established a Backyard Bird Monitoring Programme, in which local residents participate in monthly citizen science monitoring of native bird populations. This programme complements the native bird, reptile and invertebrate species monitoring programmes established within the sanctuary site to collect valuable baseline data of ecosystem health prior to the restoration that will be enabled by the completion of the pest-proof fence. Ongoing monitoring of native species populations will be an outstanding citizen science opportunity, as the sanctuary's development unfolds and the reintroduction of various vanished species occurs over time.

A wider landscape-scale approach to conservation will benefit many native species that otherwise would not be well suited to just living within the fenced sanctuary. Notable examples include aquatic species such as native fish and eels and avian species such as who/blue duck. NCC's Maitai Enhancement Programme dovetails well with conservation initiatives in the Brook Valley, which is a tributary of the Maitai River. Combined efforts will reap rewards much greater than individualised initiatives.

To facilitate these and other conservation and science initiatives, facilities will be needed. Workshop space for activities such as the building, maintenance and storage of traps and monitoring tunnels, along with amenities and ablutions for the volunteers undertaking the citizen science programmes are warranted. Such facilities would align well with the proposed education facilities noted above.

#### **Visitor Industry: Creating a Conservation and Recreational Hub**

There is little doubt that Abel Tasman National Park is the major single driver of international visitors to the Nelson Tasman region. However, spend patterns suggest that while a significant proportion of these international visitors pass through Nelson they do not spend either as much time here or spend proportionally as much as domestic visitors.

To grow the local visitor industry we need to grow the attractiveness of Nelson as a visitor destination, whether for conference groups, tour groups, short break visitors and/or cruise ships. Creating more activities for visitors to do to help extend visitor stays, bring more visitors and to encourage more spending while they are here will in turn provide many community benefits.

The Brook Waimarama Sanctuary will be a major visitor attraction that will add significantly to the stock of visitor experiences in Central Nelson. However, the creation of a conservation and recreation hub or cluster co-located in the upper Brook Valley could provide much more in the way of visitor attractions and activities for locals. Such a hub could include: the sanctuary—now well on its way toward full development, the increasingly popular mountain biking activities in the adjacent Tantragee/Maitai/Fringed Hill/Dun Mountain, and Marsden Valley/Involution track networks, and the proposed cycle lift gondola on Fringed Hill.

The Trust supports in principle the Nelson Cycle Life Society's proposal of developing a gondola in the upper Brook Valley provided all relevant issues can be satisfactorily addressed and/or mitigated and the gondola does not displace sanctuary-related facilities. We see opportunities for synergies between the two projects, including combined ticketing and potentially joint administration and/or management.

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In providing this support we are of the view that to grow the visitor industry and reduce the seasonality of visitor demand in the Nelson Region it is necessary to strengthen the region as a destination, including in particular Nelson City as the largest centre of population. The natural assets of Nelson/Tasman region are already well represented in the visitor attractions and therefore activity based investment is the logical extension. The additions of the proposed gondola as the highest gondola in New Zealand and the Brook Waimarama Sanctuary as the largest fenced wildlife sanctuary in the South Island would both meet this need. These visitor attractions could also sit well alongside WOW as uniquely Nelson attractions and also with the Abel Tasman and its activities to strengthen the appeal of the Nelson Tasman region for both domestic and international visitors, both as part of a longer itinerary or as a destination for holidays, conferences, etc.

The sanctuary and proposed gondola projects are largely complementary in nature, offering distinctly different experiences but which can be jointly marketed due to their close proximity (the addition of WOW would of course add a contrasting experience as well). This approach of joint marketing of attractions has proven successful in other areas such as Dunedin, with attractions on the Otago Peninsula (Yellow Eyed Penguin Trust, Royal Albatross Colony and Lamach's Castle) all working together.

Both projects would require use of land within the Brook Recreation Reserve for their operations and accordingly we have identified a number of areas in which joint operations could result in a stronger drawing power and also assist in cost savings from shared facilities and processes. The Trust recognises that the development of both these activities or even one of them could assist the financial viability of the Brook Valley Holiday Park, and equally the holiday park, with appropriate redevelopment, could help attract visitors who are also interested in activities related to the sanctuary and/or gondola projects.

Differentiating the Brook Waimarama Sanctuary as the only fenced wildlife sanctuary in New Zealand where you can stay on site in a holiday park to live the experience of the "world's greatest dawn chorus" is a strong selling point for a holiday park visit. Equally there is also a great potential to be unlocked around the adjacent mountain biking activities as part of an activity cluster—with or without a gondola facility.

Additional opportunities include upgraded accommodation for use initially in conjunction with the BWST/NMIT/DOC Brook Conservation Education Centre to attract a broader range of visitors such as meeting groups, education tours, study groups, and special interest groups (e.g. science, heritage). At a later stage a small to medium sized conference venue could be established to further enhance and broaden these opportunities.

There are also opportunities through leveraging off the use of these facilities and activities, including research, education and training, attracting corporate groups for leadership development and team building (e.g. with a ropes course in the redwood grove). A focus on the importance of our natural environment, indigenous biodiversity, and sustainability would be obvious themes for group bookings, especially with increasing interest in these topics in the corporate sector. Tomorrow's corporate leaders will increasingly need to include biodiversity, pragmatic conservation and sustainability issues as part of their corporate focus.

The sanctuary, as well as any other visitor activity envisioned for the site such as a gondola, will need to have visibility on entry to the site through lines of sight and clear signage. This need indicates the desirability of redesigning the layout of the site, as do similar

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considerations including segregating the holiday park from other activities and the health and safety needs around separating accommodation and playground areas from legal through roads and parking areas.

Currently the Sanctuary is difficult to find for one off visitors due lack of visibility from the road and with the holiday park acting as a barrier due to preconditioning of visitors that public access is not available through holiday parks. We have ongoing evidence of visitors turning back having not realised the Sanctuary is through the camp despite the signage in place. Upgrading signage alone will not resolve this problem.

The site topography and layout lends itself to segregation between different activity zones, with the upper bench easily separated and dedicated to education and visitor activities, leaving the lower area for accommodation and camping activities clearly segregated from the visitor attractions.

### **Community and Visitor Activities and Facilities**

The upper Brook Valley has long been a recreation destination for Nelsonians, and increasingly is attracting visitors from farther afield. A variety of running and cycling events are held on the track network that surrounds the Brook Recreation Reserve, including the Dun Mountain Track on the line of the historic Dun Mountain Railway and its connection to Coppemine Saddle through the establishment of the Dun Mountain Trail in 2011 as part of the New Zealand Cycle Trail Nga Haerenga network.

With the development of the sanctuary's pest-proof fence and its associated track around the exterior of the fence, as well as the sanctuary's outstanding network of tracks inside the fence, the opportunities for recreational track usage in the upper Brook Valley is greatly enhanced. The sanctuary's internal track system is for pedestrians only, subject to admission at the sanctuary gate when the pest-proof fence is completed, while the external track around the outside of the sanctuary will be open to public use free of charge. Furthermore the section of fence line from Third House to Jenkins Hill will provide a connective corridor for walkers and more particularly mountain bikers, linking the Marsden/Involution Tracks to the Tanragee/Fringed Hill Tracks, significantly enhancing the existing network of tracks.

Further to the concept of a conservation and recreational hub, the Brook Recreation Reserve could offer an excellent range of other activities for residents and visitors. Examples of reserves with a range of offerings allowed for under a Reserve Management Plan include: Nelson's Tahunanui Reserve, Hammer Springs' Thermal Pools Reserve, Tasman's Kaiteriteri Reserve, and Queenstown's Ben Lomond/Queenstown Hill Reserve.

Suitable activities for the site include: a ropes course, a flying fox or zip line, a climbing wall, a viewing tower, and a canopy walkway. Outdoor equipment hire is also a potential use of the site, e.g. mountain bikes, sanctuary and other tour bookings, and gondola admission. There would be opportunities for synergies between the different activities, such as a joint reservations office, thereby keeping costs down and making it easy for visitors and locals to find information. An enhanced visitor centre could combine information, interpretation, and services for the sanctuary as well as other activities in the area. Associated administrative offices could also be included within the plan, to support the sanctuary, the education facilities, and potentially other facilities.

The Trust envisions future opportunities for special education, training, and conference activities at the site, including leadership training, lectures, and special events. The site would lend itself particularly well to outdoor events to augment the already established annual sanctuary open days, including outdoor sculpture exhibitions, concerts and performances, light shows and weddings.

Parking and traffic management facilities are required for the existing permitted activities at the site, including the holiday park and the sanctuary, and should also be future-proofed for other possible activities to be developed over time, such as the proposed gondola. Priority should be given to the sanctuary's traffic and parking requirements, since the Trust holds resource consents for the development of the sanctuary as a visitor attraction.

Car parking and traffic flow management, including coach turnarounds and parking for the sanctuary, should permit arrivals for the Brook Waimarama Sanctuary, the Brook Conservation Education Centre, and potentially other attractions such as the proposed gondola, to park (or be dropped off by coach) without entering the holiday park, and to find the different facilities easily through proper signage and clear lines of sight. The previously mentioned delineation of space between the site's upper and lower terraces could provide for appropriate traffic flows. Planning should also include emphasis on public transportation, bicycling and walking to the site, with allowance for associated infrastructure such as a covered bus stop, covered bicycle parking, and a mountain bike cleaning station.

The Trust submits that for such activities to be developed over time, allowance must be made in the Management Plan for appropriate commercial enterprises that would service the conservation and recreation hub, including for example opportunities for concessionaires for food and beverages, souvenirs, a gondola, team building or other recreational/adventure activities such as the hiring of mountain bikes or other equipment. The potential exists for synergies among services and activities for sharing facilities and co-locating staff (such as between the sanctuary and the holiday park) to provide a new and more efficient operating model for the holiday park. The Trust is open to further discussions in this regard.

## Conclusion

The Trust appreciates Council's undertaking to develop a comprehensive management plan for the Brook Recreation Reserve, and thanks Council for the opportunity to make this submission.

It is clear the community supports the long-established presence of a holiday park at the site, and the Trust believes a re-developed holiday park with a wider range of accommodation will continue to be a valuable core use for the reserve. We see such accommodation facilities as a foundation to supporting a range of recreational and conservation opportunities that radiate from the site, including the sanctuary, the walking and mountain bike tracks, the proposed gondola, and potentially other activities as outlined in this submission.

The Trust's education partnership with DOC and NMIT to deliver the Trainee Ranger programme and other field courses through the Brook Conservation Education Centre is a valuable asset to Nelson. Given that the centre's current site is now unusable, it is a priority for us to relocate this facility to a portion of the reserve, as recognised and previously

approved by Council. Accommodation for Trainee Rangers at the holiday park would also be convenient and could present opportunities for work experience while staying on-site.

A balance needs to be struck between providing open space and esplanade areas along the Brook Stream for walking, picnics and other family activities for locals, and providing facilities capable of attracting domestic and international visitors. Existing natural features such as the Brook Stream and the redwood grove could be enhanced to provide natural open spaces, while other portions of the site should be reserved for the development of visitor activities with provision in the plan for appropriate 'commercial' activities to service visitors such as a café, retail shop, conference centre, additional recreation/adventure facilities, and enhanced accommodation options.

Priority for traffic flow management should be given to the now well-established sanctuary and to the holiday park, with future-proofing included for the proposed gondola and other possible facilities and attractions.

The Trust requests the opportunity to speak with Council management and staff, consultants and/or Councillors in support of this submission during the preparation of the Draft Reserve Management Plan, to answer questions and offer explanatory remarks as appropriate.

### Comments on proposal for Brook Recreation Reserve Management Plan

From: Jane Solly  
Address: 65C Brook Street, Nelson 7010  
Phone: 548 9508  
Email: [the.sollys@xtra.co.nz](mailto:the.sollys@xtra.co.nz)

My comments on the proposal for a Brook Recreation Reserve Management Plan, and what it should address, are set out below.

#### General

I'm a resident of the Brook, and have lived here for the last seven years. I think it's a great place to live, especially for families with younger children.

I'm a member of, and occasional volunteer for, the Brook Waimarama Sanctuary Trust.

I support the development of a management plan for the 'Brook Recreation Reserve', a.k.a. the Brook Motor Camp or Brook Holiday Park.

I understand that only part of this area is formally classified as a Recreation Reserve, with the remainder being freehold land owned by Nelson City Council (with no formal (legal) protection). I would like the freehold land to be formally protected, either as reserve or by way of a covenant (in perpetuity), to provide certainty of purpose and ensure that it is retained for public use in the future.

#### Camping ground

I support the retention of the Brook Motor Camp (in whole or in part), subject to the following caveats.

1. The facilities at the camp ground (cabins, toilets, ablution blocks etc.) should be modernised and upgraded. The existing facilities are old and below the standard now expected/required by many potential users (including families). I appreciate that this will require significant capital expenditure, and Council will need to explore ways in which this can be funded.
2. I'm sympathetic to the needs of the 'permanent residents' of the motor camp, but question whether a campground is the most appropriate place to provide what is effectively low cost (and in most cases, low quality) social housing. Indeed, I understand that permanent occupation of sites within a registered camping ground is contrary to the Camping Grounds Regulations 1985. The existing ramshackle 'buildings' also give a very poor impression to visitors entering or passing through the camping ground.
3. If provision is to be made for permanent occupation (by current permanent residents or otherwise) then the management plan should clearly define the area that is to be allocated for this purpose. This area should not be within the registered camping ground (to comply with the Camping-Grounds Regulations), and should be screened from the remainder of the camping ground. I think Council should also work with the permanent residents (if provision is made for this) to ensure that their dwellings are legally compliant (e.g. with the Building Act) and maintained to an appropriate standard (since they are on Council owned land).

### **Brook Waimarama Sanctuary**

The 'Brook Recreation Reserve' is adjacent to land leased to the Brook Waimarama Sanctuary Trust (BWST) for the purposes of a fenced wildlife sanctuary. Work to construct the fence is now in progress and should be completed in 2016. Once the fence is in place, and pest animals have been eradicated from the fenced area, the sanctuary will become an increasingly important site for native wildlife, and for visitors.

Whilst the proposed Brook Recreation Reserve Management Plan doesn't include areas leased to the BWST, management of the Brook Recreation Reserve should support what is being done in the sanctuary. For example:

#### *Access*

Access to the sanctuary is through the Brook Recreation Reserve (on legal road), and the Recreation Reserve is the 'gateway' to the sanctuary. The management plan should formally provide for this and ensure that public access to the sanctuary is maintained. Provision may also need to be made for additional parking (including for coaches), and access for cyclists, pedestrians, and people arriving by public transport.

#### *Camping ground*

As noted above, I support retention of the camping ground, if some improvements are made. The sanctuary provides a point of difference compared to other camping grounds in the region; and the sanctuary is likely to attract more visitors if there are (good quality) camping facilities/ accommodation options immediately adjacent.

#### *Brook Conservation Centre*

The Brook Conservation Centre was established in 2010 on land leased from the Council, but I understand that the original site is now unusable due to land instability issues. I would therefore support provision being made to relocate the Brook Conservation Centre to another site within the Brook Recreation Reserve.

#### *Animal and plant pests*

Once established, the fenced sanctuary will allow populations of native birds to increase (including species that are going to be re-introduced), and some of these will then spread into areas around the sanctuary. Their survival – and opportunities for residents and visitors to see native birds spreading into the suburbs and Nelson city itself – will be enhanced if pests are controlled in the areas around the sanctuary. I would therefore ask that the management plan for the Brook Recreation Reserve make provision for pest animal control within the reserve (including rats, mice, stoats and possums). Weeds – at least those species with greatest potential to spread to the adjacent sanctuary – should also be controlled within the Recreation Reserve.

### **Brook Stream**

I would like the management plan to include measures to protect, maintain and enhance the Brook Stream where it passes through the Brook Recreation Reserve. These measures could include riparian planting, and improvements to public access to and along the stream.



Department of  
Conservation  
*Te Papa Atawhai*

PAR-10-11-08-01  
DOCDM 1538336

15 January 2015

Nelson City Council  
PO Box 645  
Nelson 7040

Email: [submissions@nelson.govt.nz](mailto:submissions@nelson.govt.nz)

Dear Sir or Madam

**Brook Recreation Reserve Management Plan**

Please find enclosed comments on behalf of the Department of Conservation (the Department) in respect of the above.

Please contact me if you have any questions in relation to these comments, or would like to discuss any matters further.

Kind regards

A handwritten signature in black ink, appearing to read 'Lionel Solly'.

Lionel Solly  
Ranger, Partnerships – *Kaitiaki Manutātaki*

DDI 03 546 3162 | Email [lsolly@doc.govt.nz](mailto:lsolly@doc.govt.nz)

**Department of Conservation *Te Papa Atawhai***  
Whakatū/Nelson Office  
Private Bag 5, Nelson 7042  
[www.doc.govt.nz](http://www.doc.govt.nz)  
**A1340667**

## Comments on proposal for Brook Recreation Reserve Management Plan

The Department supports the development of a management plan for the area known as the 'Brook Recreation Reserve' (also referred to as the Brook Motor Camp or Brook Holiday Park).

The Department notes that only part of the area to be covered by the management plan (Section 47 Brook Street and Maitai District) is formally gazetted as Recreation Reserve and subject to the provisions of the Reserves Act 1977; and that the remaining titles are freehold land owned by Nelson City Council, or legal road.

The Department understands that the area is registered as a camping ground and is subject to the Camping Grounds Regulations 1985, albeit that some of those regulations are not being met or enforced.

Whilst it is sensible for the management plan to include all parts of the 'Brook Recreation Reserve' (as defined for this consultation), the different land tenures/classifications result in a more complex process, both for preparation of the management plan and administration of the land more generally. Council may therefore wish to consider formally gazetting the freehold land as recreation reserve to provide certainty of purpose and administration under the Reserves Act.

The 'Brook Recreation Reserve' is adjacent to land leased to the Brook Waimarama Sanctuary Trust (the Trust) for the purposes of a fenced wildlife sanctuary.

The Department has been involved with the Trust since its formation and is a supporter of the Brook Waimarama Sanctuary (the Sanctuary). A summary of the Department's involvement with the Trust, and support for the Sanctuary, is appended for information. Works to construct the predator proof fence have now commenced and are due to be completed in 2016. The Department understands that the Sanctuary will formally open in 2017, following eradication of pest animals within the fenced area.

Whilst the proposed Brook Recreation Reserve Management Plan excludes areas leased to the Trust, it is the Department's view that management of the Brook Recreation Reserve should complement, and support, the objectives and management of the adjacent Sanctuary.

Some specific matters that should be addressed in the management plan are set out below.

### Brook Conservation Education Centre

The Brook Conservation Education Centre is a collaborative project between the Department, the Trust and the Nelson Marlborough Institute of Technology (NMIT), with support from Nelson City Council, and was established near the Sanctuary entrance in the Brook Valley in 2010. The proximity of the Sanctuary was one of the reasons the Centre was established in Nelson.

The Department has contracted NMIT to deliver the national Trainee Ranger programme and other practical conservation training courses. These training courses are open to Departmental staff, Council staff, community conservation groups and members of the public generally. The location of the Centre, and the partnership with NMIT and the Trust, provides opportunities to use the Sanctuary for training purposes, and for students to engage in projects that directly benefit the Sanctuary.

Unfortunately, the site used for the Conservation Education Centre has since been found to have slope stability problems and is currently unable to be used.



The Department understands that NMIT and the Trust have had discussions with Council over a proposal to re-locate the Centre to another part of the Brook Recreation Reserve; and that decisions on this have been deferred pending the outcome of the current planning process.

The Department supports the proposal to re-locate the Centre to an appropriate site within the Brook Recreation Reserve, and the management plan should make provision for this accordingly. This would enable the facilities to again support the training and education goals of the Department, NMIT and the Trust.

#### **Nelson 'Halo'**

Once established, the fenced Sanctuary will enable populations of native birds to increase (including species such as kaka that are likely to be re-introduced), and some of these will then 'spill out' into areas around the Sanctuary. This has already happened around the Zealandia (Karori) Sanctuary in Wellington, and at other sanctuaries around New Zealand. Zealandia has also demonstrated that the value of a sanctuary can be enhanced if pest animals (and weeds) are controlled in neighbouring areas – often called a 'halo' – enabling otherwise vulnerable species to safely forage and nest beyond the boundaries of the sanctuary itself.

Creation of a 'halo' around the Brook Sanctuary will provide an opportunity for wildlife to spread beyond the Sanctuary boundaries, into the city and beyond. It will also provide a buffer against new infestations into the Sanctuary.

The creation of such a halo has been identified as a priority for Council's 'Nature Nelson' project, which is currently being considered for inclusion in the Long Term Plan for 2015-2025. The Department supports this.

The Brook Recreation Reserve should be part of this halo, particularly as it is the 'gateway' to the Sanctuary itself, and helps to link the Sanctuary to the city. The management plan for the reserve should make provision for this accordingly.

#### **Brook Stream**

The Brook Stream passes through the Brook Recreation Reserve, largely within the freehold land owned by Nelson City Council. Upstream of the Recreation Reserve the stream is within the Brook Conservation Reserve (leased to the Trust); and downstream it is within the Brook Stream Esplanade Reserve (vested in Council).

The management plan for the Brook Recreation Reserve provides an opportunity to set clear objectives and actions for management of the stream and its margins, and to enhance connectivity between the upstream and downstream reserves. Specific measures could include provisions to improve riparian habitat, and to enhance public access to and along the stream. Such actions would support Council's Project Maitai/Mahitahi programme, including projects MRP4, MRP7 and MRP12.

#### **Access**

Access to the Sanctuary is through the Brook Recreation Reserve (on legal road). The management plan should provide for the maintenance and, where necessary, enhancement of this access corridor. Provision should also be made for appropriate parking and safe access to the Sanctuary for cyclists and pedestrians.



### **Summary of the Department's involvement in, and support for, the Brook Waimarama Sanctuary**

The Brook Waimarama Sanctuary is a community initiative to create a pest-free sanctuary for native flora and fauna in a Nelson City Council former water reserve in the Brook Valley. The site adjoins Mount Richmond Forest Park, which is administered by the Department of Conservation.

The Department has been actively involved with this project since its inception. The former Nelson Marlborough Conservator, Neil Clifton, was a signatory to the Deed of Charitable Trust which established the Trust. As provided for in the Trust Deed the Department has been represented on the Trust Board from the outset (but the Department's position on the Board is currently vacant).

The Department has provided ongoing technical assistance and advice to the Trust, including ecological and planning advice to assist the Trust in obtaining resource consent to build the pest-proof fence.

In 2008, the Department teamed up with the Trust to allow the public to view six kakapo chicks (that were being reared in Nelson) at the Sanctuary visitor centre. More than 5000 people flocked to see the chicks over two days.

The collaborative success of the Trust led to the creation of the Brook Conservation Education Centre alongside the Sanctuary in 2010. This was a joint initiative between the Nelson City Council, the Trust, the Nelson Marlborough Institute of Technology (NMIT) and the Department, which has contracted NMIT to provide trainee ranger and in-service conservation related training. The proximity of the sanctuary was one of the reasons the Centre was established in Nelson.

The Trust has also received funding from the Community Conservation Partnerships Fund, which is administered by the Department.

The Brook Waimarama Sanctuary would be the largest fenced sanctuary in the South Island. Large catchment based predator fenced sanctuaries on mainland New Zealand have an important role in the protection and restoration of threatened indigenous ecosystems.

Fenced sanctuaries allow for the complete eradication of introduced mammalian pests (including rats, mustelids and possums) within the fenced area, rather than simply managing these pests to low numbers. This provides benefits for native species that are particularly vulnerable to even low levels of predation, or which are preferentially selected by mammalian herbivores (e.g. mistletoe). A fenced sanctuary in the Brook Valley would therefore benefit existing native plant communities and populations of native birds, lizards and invertebrates; and would allow for re-introduction of species that previously occurred in the area, including species that are classified as threatened or at risk under the New Zealand threat classification system. The sanctuary, with its pest-proof fence in place, will have a valuable role to play as a safe haven for some of our most endangered wildlife.

The Brook Waimarama Sanctuary also has the benefits of:

- Being immediately alongside a major urban centre and therefore well placed to raise public awareness of conservation in this region and nationally;
- The potential of an important additional visitor destination in a region which already attracts significant numbers of domestic and international visitors because of its natural values;

- An adjacent established Council owned motor camp, the lease of which recognises the potential of each to complement the other;
- A successful and expanding tertiary training programme offering nationally recognised conservation courses utilising the sanctuary;
- Broad community support and a large body of active volunteers with a high degree of competency and skill; and
- A successful collaborative Trust governance structure with representation from iwi, the Council, tertiary education provider, the community and the Department.

The Department believes these attributes, which are not duplicated by any other sanctuary, will be important factors in ensuring the ongoing success of the Brook Waimarama Sanctuary.

The Trust is an excellent example of an independent community project with strong community involvement and support that will contribute to protecting and enhancing our natural heritage. It will also provide an accessible and inspiring wildlife experience just a few kilometres from the heart of Nelson city, where people can enjoy and learn more about our environment and be inspired to get involved in protecting it. The sanctuary will have significant value in engendering further understanding and commitment to environmental restoration in the wider community, and awareness of how such work contributes to overall community wellbeing and prosperity.

The Nelson City Council wants your opinion. Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Office Use Only			
		Submission Number	
File Ref		INITIALS	

Name Moira Bauer  
 Daytime phone 02040017700  
 Address Brook Holiday Park  
 Organisation represented (if applicable) \_\_\_\_\_

RECEIVED

15 JAN 2015

Do you wish to be heard in support of your submission?  YES  NO # of pages 1  
 \_\_\_\_\_ If you do not tick a box we will assume you do not wish to be heard. **NELSON CITY COUNCIL** Customer Service

Public information  
 Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:  
Brook Recreation Reserve Draft  
 My submission is: Management Plan

See typed pages Overleaf  
(5 pages)

Date 15-1-15 Signature [Signature]

Help with making a submission overleaf...

 **Nelson City Council**  
 te kaunihera o whakatū  
 A1340667

PO Box 645 • Nelson 7040 • 03 546 0200  
 www.nelsoncitycouncil.co.nz

## 1 – Proposal to draft a Management Plan

To draft a Recreation Reserve Management Plan for an area of land first requires that this land be Recreational Reserve land, as defined by the Reserves Act 1977.

Currently, only Section 47 Brook Street and Maitai Survey District is Gazetted as Recreational Reserve, while all other land parcels are Freehold Titles.

The inclusion of Freehold Titles in a Recreational Reserve Management plan does not impose the conditions of the Reserves Act on said land, leading to legal ambiguity. To prepare a Recreational Reserve plan under the proper processes outlined within the Reserves act requires the Gazetting of these Freehold Titles as Recreation Reserve. I would suggest that the correct procedure as outlined in the Reserves Act is followed in its entirety, which would require the NCC to advise the Commissioner of its intention to designate this land as Recreational Reserve, subject to review and approval by the Minister of Conservation. NCC does not have the authority to designate land as a Recreational Reserve without the overview and approval of the Minister.

## 2 – Long Term Residences and Camping

The current Brook Holiday Park should continue to be maintained and receive a marketing make-over, as I believe it has a far greater potential as a successful and profitable campground than is being realised currently. It would provide benefits to visitors to Nelson City and the adjoining Wildlife Sanctuary and Mountain Bike Park.

Due to the established nature of a large number of long term residences within the Brook Holiday Park ( to be included in the Brook Recreation Reserve Management Plan ), I would

Moir Bauer – Brook Recreational Reserve Management Plan Submission. Page 1 of 5

A1340667

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suggest NCC use their Authority granted pursuant to Section 44 of the Reserves Act 1977 to approve the land occupied by the Holiday Park for permanent Accommodation. This would eradicate any legal ambiguity on the status of established residents, some of which have lived in the Camp in excess of 20years.

### 3 – NMIT / DOC

The development of an educational facility for Ranger Training and in conjunction with the Brook Wildlife Sanctuary should not be included within any Brook Recreation Reserve Management Plan. Such an Educational Facility would be better positioned within the CBD. Existing Bus services could be utilised to provide transport to the sanctuary. This would reduce traffic flow along the upper Brook Valley, which has been a stated concern of further development within the area by Brook Valley Residents. Car-parking requirements in the upper Brook Valley and the Brook Recreation Reserve could also be greatly reduced with this arrangement, which is desirable and in keeping with the purposes of the Reserves Act in particular Sec 17 which refers to Recreation Reserves and emphasises the retention of open spaces and the preservation of the natural environment.

### 4 – Gondola

The Gondola proposed by the Nelson Cycle Lift Society should not be considered within the scope of the Brook Recreation Reserve Management Plan. Such development would require a large amount of supporting infrastructure including increased power capacity to power

the machinery, and the installation of water pumps and pipes to supply the proposed Café / restaurant atop Fringe Hill as envisaged by the Gondola proposal.

Mountain Biking is a popular sport in the area. NCC has recently acquired large areas of land for the purpose of development for Mountain Biking in the area surrounding the Codgers Track and the Dun Mountain Track. A gondola proposal should be considered within these areas, not the Brook Recreation Reserve.

It is therefore suggested that Council DOES NOT follow the Recommendation made on 30 October 2014 in Report A1194716 which reads in part;

“ AND THAT; the desirability of a Gondola serving Fringe Hill be considered as part of the development of the Brook Recreational Reserve Management Plan”

Specifically in light of the emphasis provided in file no; A1178898, s2.6 “Section 54 provides for any activity or lease or license to be approved if it is in conformity with, and contemplated by the Management Plan for the Reserve.”

Alternatively, a separate Recreation Reserve Management Plan could be developed for the land currently being developed for mountain biking, and the Gondola would be more appropriately considered in the scope of that.

5 – BWST

Reject the proposal for the preparation of a Reserve Management plan for sections excluding portions leased to BWST. Parts of the land included in the lease to BWST are

Moira Bauer – Brook Recreational Reserve Management Plan Submission. Page 3 of 5

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gazetted recreational Reserve land. The landmass included in the last Draft Reserve Management Plan for the Brook (Conservation) Reserve ( in the Draft Conservation and Landscape Reserves Management Plan 2009 ) far exceeds that considered by the proposed Brook Recreation Reserve Management plan. Section 17 2a of the Reserves Act stipulates (in part) that "the public shall have freedom of entry and access to the Reserve". The lease to BWST fails to maintain this condition of Reserve Land Management. It is suggested that NCC follow the advice of its Senior Planning advisor as stated in Document A1178898 to seek legal advice on the compatibility of the BWST lease with the Reserve Land status of the area, and also to rescind its Resolution of 30<sup>th</sup> September 2004, which reads in part:

" AND THAT: staff continue investigations into actions necessary to modify the status and Reserves Act classification of the subject land to adequately reflect the purpose for which the land is held and to provide for full management control to the Brook Sanctuary Trust."

It is further suggested that earthworks for the BWS fence construction be halted until legal clarification has been sought and received, as the clear cutting of 9ha of native forest does not constitute "protection of the natural environment and beauty of the countryside" as required by section 17 of the Reserves Act.

The land included within the lease should be maintained for the exclusive purpose of creating a wildlife sanctuary, and the BWST may choose to retain this lease to provide the most effective pest management strategies available. There is debate on within the conservation community on the scientific Validity of Pest Proof fencing as a pest control technique. An independent and comprehensive cost benefit analysis of pest control techniques should be conducted, taking into account recent technological developments in

Moir Bauer – Brook Recreational Reserve Management Plan Submission. Page 4 of 5

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this field, to be entirely certain that public access is not being restricted and preservation of land is not being compromised for anything less than the best and most effective of pest management approaches. Any and all alternative pest control techniques would reduce the need to limit public access.



**Natascha Van Dien**

---

**From:** Administration Support  
**Subject:** FW: Brook Recreation Reserve Management Plan

----- Original Message -----

**From:** [Kempthorne](#)  
**To:** [submissions@nelson.govt.nz](mailto:submissions@nelson.govt.nz)  
**Cc:** [enquiry@ncc.govt.nz](mailto:enquiry@ncc.govt.nz); [submissions@ncc.govt.nz](mailto:submissions@ncc.govt.nz)  
**Sent:** Friday, January 16, 2015 1:00 PM  
**Subject:** Fw: Brook Recreation Reserve Management Plan

----- Original Message -----

**From:** [Kempthorne](#)  
**To:** [submissions@nelson.govt.nz](mailto:submissions@nelson.govt.nz)  
**Sent:** Thursday, January 15, 2015 8:07 PM  
**Subject:** Brook Recreation Reserve Management Plan

- 1 The first priority should be the homes of the folk who choose to live in the Motor Camp
- 2 If a paid manager is now in place, it would make financial sense to open the Camp to short-term visitors as has been the case in the past, co-existing happily with the residents
- 3 A 'ranger training centre' mentioned by the Mayor could be established without prejudice to the residents
- 4 The residents' homes must not be threatened by the interests of the Cycle Lift Society, a private enterprise seeking to profit from the publicly owned Fringed Hill by constructing a cable-car, laughably called a 'gondola' despite its aerial nature. That scheme can be justified as being for public benefit no more than the 'monster slide' recently proposed for another public asset, Collingwood Street's hill. Any dream of making Nelson the Queenstown of the North (if it were desirable) is a fantasy doomed by the physical location of Tasman Bay which can't compete with Wakatipu and the Remarkables. If consent is ever granted, it must be on the express condition that in the event of failure the potential eyesore of rusting equipment must be fully removed at the expense of the company's original directors whether or not it is 'in liquidation' or receivership. As I mentioned in a letter of 6 May to the *Nelson Mail*, Council could itself choose to exploit Fringed Hill's fine views and potential cycle tracks for Nelson's public benefit by upgrading (and tolling) its road and maybe building a look-out café at the top.
- 5 The amenity of the Reserve should never be prejudiced by the (rumoured) proposal to build a new road from Enner Glynn and "improve" the Brook Valley road (to the ruin of the whole valley) in the interest of access to the Sanctuary and proposed "gondola" scheme.

Ren Kempthorne  
140 Nile St 7010



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**SUBMISSION TO:** NELSON CITY COUNCIL  
DRAFT BROOK RECREATIONAL RESERVE MANAGEMENT PLAN

**FROM:** NELSON CYCLE LIFT SOCIETY INC  
16 January 2015

---

NCLS appreciates the opportunity to submit to Nelson City Council's (NCC) planning for the potential uses for the Brook Camp site.

#### **Background**

Nelson Cycle Lift Society (NCLS) was formed in 2010 to develop a plan and gain resource consent for a passenger lift serving the needs of cyclists, viewers and walkers to access a point near the summit of Fringed Hill; a network of mountain bike and walking tracks would form a new visitor attraction of national and international significance.

A Feasibility Study of a gondola lift was presented to Council in May 2014, and peer reviewed in October 2014; these reports present the proposed routes, and examine the geotechnical, engineering and business feasibility.

Ongoing fundraising and investment for the current proposal is contingent on access to the Brook Camp area being supported in principle by the community and Nelson City Council as landowner.

#### **Gondola location rationale**

The preferred gondola routes (2 proposed) are on NCC land outside and to the north of that area leased to Brook Waimarama Sanctuary (BWST) (refer Appendix 1). The proposed base stations are located within the Brook Camp. The first site is located 50m south of the entrance, on the east side of the road. The second site is located in the area immediately to the south of the caretaker's house. The top station common to both routes is located on a knoll near the Fringed Hill road carpark.

These proposed routes were chosen because:

- The base stations locations and associated visitor facilities will be out of sight of residential properties
- The routes will require a minimum of bush and tree removal to achieve adequate clearance for the base buildings, pylons and cableway

- There is sufficient space for parking, and associated retail, ticketing and accommodation facilities
- The area is attractive, open and well-suited for use by tourists and visitors using campervans, cars, and cycles for daily visits to the Gondola / Sanctuary or short-term camping
- There is an opportunity for co-operation between the gondola operation and Brook Waimarama Sanctuary to share facilities including parking, ticketing, toilets, retail facilities, staff facilities, grounds and track maintenance facilities, vehicle garaging and workshop, first aid, security and management facilities.
- It makes sense to not only share the gondola base facilities with the sanctuary, but also to jointly market the attractions nationally and internationally as a single multi-product offering

#### **Status of NCLS proposal**

The NCLS proposal is at an early stage, with the initial feasibility established and supported by key city stakeholders. Details will become apparent after investment partners are confirmed, professional advisors appointed, planning is completed and the resource consent process commences.

To support the development process and to raise the funds required it is necessary to have a clear understanding of the acceptability of the future location of the gondola and associated facilities in the Brook Camp. If the community does not support this use, an alternative route will need to be researched and developed, requiring a new feasibility study, and a delay of about 2 years.

NCLS has met with Brook Waimarama Sanctuary Trust and Nelson Marlborough Institute of Technology and supports the key themes which align with the NCLS proposal:

- Education
- Tourism/Community/Visitor Activities
- Accommodation
- Public Open Space
- Conservation & Science

### Conclusion

1. NCLS seeks community support to locate a gondola base station and associated facilities in one of two proposed locations in the Brook Camp, and seeks to future-proof these locations to allow time to develop and finance the proposal.
2. NCLS supports the use of the reserve for visitor facilities including parking, ticketing, toilets, retail facilities including café and bike hire, staff facilities, grounds and track maintenance facilities, vehicle garaging and workshop, first aid, security and management facilities and similar.
3. NCLS supports the use of the reserve for short-term accommodation for visitors (up to a maximum of 4 weeks), including campervan and tent sites, cabins, hostel, cafe and associated toilet and cooking facilities.
4. NCLS supports the use of the reserve for recreation including swimming pool, spa, courts, BMX, aerial ropeway, trampoline, outdoor theatre and similar facilities typically found in camps.
5. NCLS supports the use of the reserve for conservation education and associated conference facilities, including hostel accommodation.

NCLS thanks the Council for the opportunity to submit to this plan, and seeks to make the submission in person.

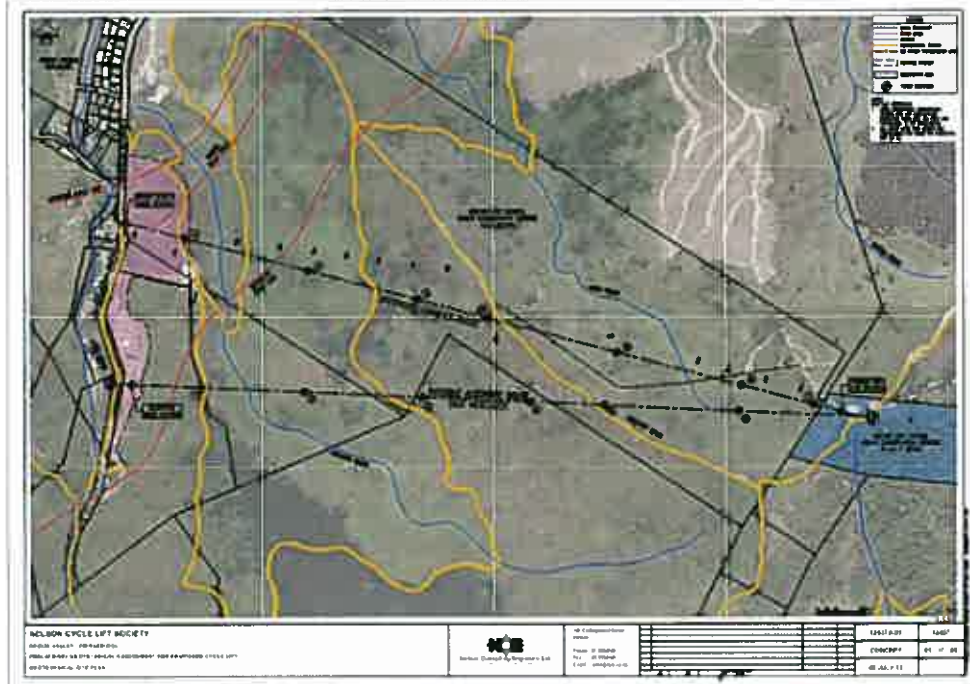
Jo Rainey

---

Chairman  
Nelson Cycle Lift Society Inc  
Box 4049,  
Nelson.

jo.rainey@xtra.co.nz  
548 8247  
027 274 9972

Appendix 1 Proposed gondola base station locations



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NELSON CITY COUNCIL  
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## Submission re the Brook Campground.

I wish to promote the view of the council providing a welcome and needed social service by keeping the camp open especially with regard to the permanent campers. I consider that the council is providing an important function here in providing for the needs of a section of its citizens.

Many of the permanent residents have difficulty fitting into a more conventional suburban lifestyle. We happily live in a more simple way and, in doing so, are a lower

drain on the community's [and the earth's] resources than most people are. Most residents like living here as opposed to being here reluctantly as often occurs in those campgrounds surrounding large cities.

Given a flat in the Wood or elsewhere in the suburbs, many would be both unhappy and more of a drain on the social services. At the camp neighbours are more likely to care about each other than if we were in an isolated house. There are some of us who are socially awkward, or have other issues, and get the support from the people around us. We are closer, both physically and socially, than most neighbours and do "look out" for each other. I have parkinsons disease and have appreciated the helping hand of my neighbours on occasions.

Secondly, a core of permanent residents can be a support for the manager in times of unruly visitors or casual campers, and with being another pair of eyes in such instances as vandalism or "skipping out" without paying.

This permanent band of residents would also be helpful in a similar way to the bird sanctuary especially in the evenings when their workers are not there. An example is one camp resident who shuts and locks the sanctuary gate every evening.

bob lynch [camp resident]

14Jan15



note: yes I would like to speak to this submission.

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NELSON CITY COUNCIL  
Customer Service

Thoughts/submission to NELSON CITY COUNCIL  
in relationship to  
The Recreational/Reserve Management Plan 2015  
for the  
Brook Caravan Park  
and it's outcome for its permanent Residents!  
\*\*\*\*\*

Some years ago whilst reading for my MA (Science & Technology Studies) degree, I was given a question to respond to within 3000 words. The question was: 'Design a viable alternative to the motorcar'

These thoughts/submission will hopefully be no more than 10% of the original number of words; however the question does relate to my thoughts re: the above submission, and briefly I was unable to do as the question asked!

Because as the dictionary definition stipulates the word 'ideal' is: '**most suitable, a conception of something that is perfect, a perfect person or thing.** Incidentally after much angst, frustration, research and any late nights I did receive an A+ for the paper.

You may well ask what does this have to do with **The Brook Recreational/Reserve Management Plan for 2015?** Everything, because there is NO ideal solution, and as Mayor Rachel Reese campaigned for her Mayoralty one key focus was people NOT pet projects! I voted for her on this point alone, because as a Registered Nurse and ordained Anglican Priest, 'people have always been the major focus of my career and vocation for the past 5 decades'. And when working with people there is no place for ego!

There is a population of people who survive much better living in a supported community environment, than living interdependently in suburbia. For example whilst working in Sydney Australia, a male in his mid 50's was found dead in his 7<sup>th</sup> floor Local Government apartment. (By the way there were over 200 units in the complex) Following the inquest it was stated publicly he had been dead for at least 7 years! He had not been reported missing, nobody thought to wonder where/how he may be – he was a nothing! I could guarantee on my life that this would

never happen to a living soul living in such a community as a residential recreational reserve;

Because, there is always 'someone' watching out & in most cases it is because they care! Yes, this can be annoying, however it's better than living in a neighbourhood especially as a single person, on limited income, which lacks either the social graces or physical mobility to 'get out & about'. Many feel they are just a 'nobody'...

I do speak from person experienced – as when I moved to Nelson in 2005 I knew nobody, lived in 34B Atawhai Drive and it was 3 years before my neighbours happily acknowledged my existence. Truthfully Nelson is not the easiest place for a stranger to integrate, nor am I aware if any of my relatives arrived on the first 4 ships into Nelson Harbour; because I was adopted, therefore an 'unknown' and according to scripture 'an untouchable'.

However within a week of moving into The Brook Caravan Park I knew all my neighbours, had shared hospitality with more than half and found them the most caring, neighbourly and friendliest people I've meet here in Nelson. And yes at times challenging, at least I exist!

When given 'notice' to move out in Feb/March 2014, one local counsellor biked up and promised much, before the first meeting was convened. However after a very brief promising interlude, I've neither seen nor heard from him again. Oops maybe it's because I'm not into such pet projects, nor could afford such, as 'mountain biking,

Living as we have been in the Brook Caravan Park is: 'a viable alternative to living in suburbia' and it is evidenced by the number of people who live in a similar situation very happily and contented throughout New Zealand and Australia. Please do NOT take what we care about and the support we do have, nor our dignity or choice away!

Thank you,



Ian Charles Crighton (Rev), R.N. (N.Z. Australia. TPNG) MA . (STS)  
Wollongong NSW. MTh. BTC Queensland.

16.1.15

*These thoughts/note are not for Public Display.*

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18 JAN 2015

The Nelson City Council wants your opinion. Please tell us what you think.

NELSON CITY COUNCIL Customer Service

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Submission Number	
File Ref	INITIALS

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Name John Russell

Daytime phone 022 677 5074

Address Brook Valley Holiday Park, Nelson.

Organisation represented (if applicable) \_\_\_\_\_

Do you wish to be heard in support of your submission?  YES  NO # of pages

\_\_\_\_\_ If you do not tick a box we will assume you do not wish to be heard.

Public information

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

The proposal to prepare a recreational management plan for the Brook Valley Park and surrounding lands.

My submission is:

I support the proposal to prepare a recreational management plan, but suggest that more land than is presently being considered, should be considered.

I DO NOT support the proposal to prepare a recreational management plan if the proper legal steps and considerations are not adhered to before, during, and after the creation of a recreational management plan.

My responses and suggestions to some of the ideas which have been floated with the general public are as attached to this form.

Date 14/01/2015

Signature [Handwritten Signature]

Help with making a submission overleaf...

 Nelson City Council  
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PO Box 645 • Nelson 7040 • 03 546 0200  
www.nelsoncitycouncil.co.nz

A1340667

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**Brook Submission**

**1) No to the proposed Gondola being situated within the present campground area.**

**a) Ratepayers have not been informed of the real costs and affects of such a venture.**

**b) I would suggest that other options should be investigated as to the location of any such venture, and that the public and ratepayers should be given full and proper cost and and return forecast analysis , along with access to private and public concerns and suggestions regarding possible detrimental affects to the surrounding and connected areas.**

**2) No to the NMIT buildings being relocated from the Brook Valley into the Brook Valley Holiday Park area.**

**and 3) No to closing the Brook valley holiday park.**

**The reasons I have for opposing the closure of the Brook Valley Holiday Park are many, and it is on this issue that i would like to be heard in support of this submission.**

**With Sincere and kind regards  
John Russell**

**{Page 1 of 1, attached to Nelson City Council Consultation Submission form. 14/01/2015}**

16 JAN 2015

The Nelson City Council wants your **Opinion**.  
Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Office Use Only			
		Submission Number	
File Ref		INITIALS	

Name Maurice H. Endicott

Daytime phone 0221727989

Address Brook Valley Holiday Park Site D18

Organisation represented (if applicable) \_\_\_\_\_

Do you wish to be heard in support of your submission?  YES  NO # of pages

\_\_\_\_\_ If you do not tick a box we will assume you do not wish to be heard.

**Public information**

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

Brook Valley Holiday Reserve Management Plan  
My submission is: 2014/15

1. Nelson City Council hasn't applied to Minister of Conservation for consent to change Brook Valley Holiday Park to Recreation Reserve
2. Act of 1977 Nelson City Council can allow residents to permit living in Brook Valley holiday Park, be legal if they wish to be KIND.
3. Bird Sanctuary clearing cut for fence thought of water run off. Easiest path of travel will be clearing cut for fence!
4. Clearing cut will stop water capillary action for trees above fence clearing cut, due to top soil removed in cut area and Tree
5. If govt goes ahead who will pay the Bill for power supply upgrade and car park.

Date 15/01/2015 Signature M H Endicott

Help with making a submission overleaf...

 **Nelson City Council**  
te kaunihera o whakatū  
A1340667

PO Box 645 • Nelson 7040 • 03 546 0200  
www.nelsoncitycouncil.co.nz

203 Brook Street, Nelson

16 January 2015

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19 JAN 2015

NELSON CITY COUNCIL  
Customer Service

Your worship the Mayor of Nelson

In response to your request for Brook Valley Reserve Management 'interests' (The Nelson Leader, December 4, 2014), please accept this document as a personal Statement of Intention. As this is my maiden written submission to a publically elected official, please also excuse the epistolary format you find before you.

Henry Seymour is claimed to have introduced horticulture to Nelson province when he planted fruit trees on his section in Brook Street Valley in 1843. The fruit trees were donated to Seymour by the Cheltenham Horticultural Society upon his departure from England. Market gardens filled the Brook Valley for decades following.

I became a 'Brookie' in 2013. Jeff Newport, my maternal grandfather, documented Nelson history in his 'Footprints' series and helped to preserve it practically through his voluntary work with Nelson Historic Places Trust. My quest is to follow in his footsteps; by documenting the history and promoting that knowledge in ways that help to empower healthy community living in the greater Brook Valley.

The latter aspect is based on an academic model of health and incorporates a number of strategic community partnerships that have been gently simmering over a low heat for the last 2 years. I am restrained slightly by intellectual property rights, and so appreciate your acceptance of a non-binding project outline at this early stage.

#### Where?

Waimarama Community Gardens are testament to the horticultural legacy of Seymour's vision. It's a wealth of sound organic gardening practice in an engaging community setting. It's naturally understated and well resourced. Quite possibly, an ideal venue for a garden type tourist attraction with teahouse and open orchard walkways?

#### Who?

I'm a trustee at WCG. I also blend food teas, based on Traditional Chinese Medicine. Having trained in Complementary Alternative Medicine in Japan, Korea & China, I have been actively promoting food as medicine to Nelsonians through partnerships with China Friendship Society, 'Please Plant Me' tree planting group, Food for Families, NMDHB, NMBC, Fresh FM (turnaround show) et al in recent years.

A1340667

Page 55

**Why?**

A core concept of TCM is achieving individual harmony in mind, body & spirit. A healthy community is no different. One day, I would like to bring my half Chinese daughter to live in a well-balanced, New Zealand community.

**How & When?**

Our next Trustees meeting on February 7 will consider one or two proposals that may spur on your 'complementary interests' hope:

- Conducting a Harvest Festival at Waimarama Community Gardens in April 2015;
- Developing a native tree nursery with Brook Waimarama Sanctuary;
- Developing a model 'urban garden' & 'city food waste' with NCC, (Mary Curnow);
- Considering an application to apply for consent for on-site catering & food sales;
- Formalising 'waste to worth' project with NCG.

There are a number of other cross-community collaborations sifted & mixed, as yet unbaked by Public Relations or media.

It's a healthy recipe. However, an essential ingredient in this whole process is community participation. I warmly welcome your participation and guidance in the on-going discussion and development of a rejuvenated Brook.

Sincerely yours,



Mark Soper.

**Natascha Van Dien**

---

**From:** Administration Support  
**Subject:** FW Submission Brook Recreation Reserve Management Plan

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**From:** Customer Service Team  
**Sent:** Friday, January 16, 2015 10:42:10 AM  
**To:** Submissions  
**Subject:** FW Submission Brook Recreation Reserve Management Plan

---

**From:** Beth Walker  
**Sent:** Friday, 16 January 2015 9:54 a.m.  
**To:** Customer Service Team  
**Subject:** Submission: Brook Recreation Reserve Management Plan

---

**From:** Justine McDonald [<mailto:mcdandosfarm@xtra.co.nz>]  
**Sent:** Friday, 16 January 2015 9:52 a.m.  
**To:** Beth Walker  
**Subject:** Fw: Brook Recreation Reserve Management Plan

On Friday, 16 January 2015 9:41 AM, Justine McDonald <[mcdandosfarm@xtra.co.nz](mailto:mcdandosfarm@xtra.co.nz)> wrote

490 Brook Street  
The Brook  
Nelson 7010

**Brook Recreation Reserve Management Plan**

I hereby submit the following, which has also been submitted by the Brook Valley Community Group as my formal personal submission

A public meeting of the Brook Valley Community Group was held on Saturday 6 December 2014. What follows is a statement of the position adopted by those present in full consensus in response to the notice of intention to prepare a Management Plan for "The Brook Recreation Reserve", printed in the Nelson Mail on 24 November 2014 and calling for suggestions

**Suggestions**

- 1 The Nelson City Council rescind its resolution of 30 September 2004, which reads in part "AND THAT staff continue investigations into actions necessary to modify the status and Reserves Act classification of the subject land to adequately reflect the purpose for which the land is held and to provide for full management control to the Brook Sanctuary Trust"
- 2 The Nelson City Council respects its obligations under s12(3) and s13 of the Local Government Act, in which the capacity of the local authority is subject to "any other enactment and the general law", and, in the performance of its functions under other enactments, is required to ensure that the application of provisions "is not inconsistent with the other enactment"
- 3 The Brook Valley Community Group is supportive of an intention to establish a Brook Recreation Reserve covering those packets of land listed in the public notice and others not so listed. To that end, we suggest that the proposal to develop a Management Plan be revisited entirely in order that the formal procedure of establishing an expanded Recreation Reserve under the Reserves Act be followed, including gazetting by the Minister. Among many other benefits will be that of proper attention being paid to the conditions of deeds of gift.
- 4 Planning should be for the very long term. While opportunities abound for appropriate activities to operate within and adjacent to the Reserve, the potential for further opportunities, identifiable only at a future time, must be explicitly considered in planning.
- 5 The purposes of the Reserves Act should provide the essential framework within which decisions are reached as to the appropriateness or consistency with those purposes of proposed activities within the Brook Recreation Reserve.
- 6 The land should continue primarily to be used for the purpose of a wildlife sanctuary. This intention has widespread support as a good use of the exquisite and increasingly rare old growth forest in these hills. It is in keeping with the deed of gift made by Mr Thomas Cawthron in which he envisaged a wildlife sanctuary.

7 Currently there is free public access to this area of land. A fence-free mainland sanctuary such as operates in Rotorua has no requirements for the restriction of entry. Proposed restrictions on public access are constrained by the Reserves Act and are not mitigated by any supposed generation of revenue for Nelson City.

8 The Brook Holiday Park should be retained for short and long term accommodation for the public and visitors to the sanctuary.

9 Any proposal to develop NMIT/DOC facilities in a Brook Recreation Reserve is to be rejected as inconsistent with the purposes of the Reserves Act. Alternate education centres may be planned within the existing campus, or at another central city location. The NBus route would be ideal to shuttle students, reducing traffic congestion, transport utilisation and carparking requirements at the head of the valley.

10. No gondola/cycle lift should be permitted to operate within the boundaries of the proposed Brook Recreation Reserve. Any such proposal is inconsistent with the purposes of the Reserves Act.

11. With regard to the internal memorandum provided to the Council by Lisa Gibellini, Senior Planning Adviser on 29 March (sic), we suggest that particular attention be returned to her advice under s2.12 that "It should be noted that in exercising the new delegations under the Act, Council must however still act in accordance with the requirements of the Reserves Act and maintain a distinction between their roles as the administering body of a reserve and their role as a delegate of the Minister".

Nothing in the revision of powers referred to in her previous section 2.11, or elsewhere, entitles the Council to formulate and apply a Recreation Reserve Management Plan to areas of land which have not been so designated and gazetted by the Minister. This is particularly the case with regard to both of her emphases, first in her 2.6 referring to s54 of the Reserves Act, and secondly to her s 2.16 on (h), a subclause of the Resource Management Act referring to Reserve Management Plans. It is quite plain that acceptance of her principal recommendation has been based upon an intended employment of these clauses to permit activities otherwise deemed inappropriate or inconsistent with the purposes of the Reserves Act.

12. The Brook Valley Community Group strongly suggests that, before proceeding further with a Management Plan, the Nelson City Council obtain the legal advice which Ms Gibellini recommended on its powers and the restrictions upon those powers. That advice should be independently sourced.

Justine D. McDonald.

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Nelson City Council Public Consultation Submission form

1063272 • May 2013

The Nelson City Council wants your opinion.  
Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

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		Submission Number	
File Ref		INITIALS	

Name Patricia Horlemann

Daytime phone 5484036

Address PO Box 294, Nelson

Organisation represented (if applicable) Brook Recreational Reserve Camp Residents

Do you wish to be heard in support of your submission?  YES  NO # of pages

\_\_\_\_\_ If you do not tick a box we will assume you do not wish to be heard.

Public information

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

The Brook Reserve Recreational Management Plan

My submission is:

I submit that the current permanent residents should be allowed to stay. If not the Council should give a suitable financial compensation if the residents are requested to leave, and the Council should pay the cost to relocate dwellings.

The land should remain as a campground to allow people to have access to affordable holiday accommodation. It is a historical site as a campground and many Nelson families have been coming here for years and are understandably upset about the proposal to close it.

The cabins are presently not being rented out and the camp sites for tents are being funded utilised as this camp is not being advertised, ~~is~~ not generating income.

Date 14/01/15

Signature P. Horlemann

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File Ref:	Submission Number
INITIALS:	

Name Patricia Horlemann

Daytime phone 548 4036

Address CT PO Box 294, Nelson

Organisation represented (if applicable) Brook Recreational Reserve Camp Residents

Do you wish to be heard in support of your submission?  YES  NO # of pages

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**Public information**

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The consultation/proposal my submission relates to:

Proposal to Prepare Recreational Management Plan for Land that is not legally gazetted as a Recreational Reserve being Freehold  
 My submission is Legal improper procedure.

That the Council should take legal advice regarding this issue.

Changing the name of the camp and its associated land does not make it legal.

If procedure is followed correctly under proper legal advice by the the correct personnel then this bring credibility to the whole process.

Trying to rush the process will not change this truth! Please do your research into the appropriate Acts.

Date 14/01/15 Signature P. Horlemann

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		Submission Number	
File Ref		INITIALS	

Name Patricia Hollemann

Daytime phone 548 4036

Address PO Box 294, Nelson

Organisation represented (if applicable) Brook Recreational Reserve Camp Reside

Do you wish to be heard in support of your submission?  YES  NO # of pages

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**Public information**  
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The consultation/proposal my submission relates to:  
The Brook Reserve Recreational Management Plan.

My submission is:  
The Gondola Proposal should be vetoed as the cost of implementing it and setting it up would be too great, financially speaking meaning it would be passed on to the ratepayers. Environmentally the effects on the flora and fauna would be disastrous through increased traffic and increased erosion during heavy rainfall due to the removal of many native trees. Nelson residents also would find it too expensive and would not support it enough affecting the income generated. Ratepayers again would have to subsidise it and they won't like it.

The NMIT should not be allowed to set up building here because the land where they would be located is unstable when flooding occurs on a historically boggy area. (By Camp Office)

Date 14/1/15 Signature P. Hollemann

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File Ref		INITIALS	

Name Pam Mander

Daytime phone 027 389 7491

Address P.O. Box 294 Nelson 7040

Organisation represented (if applicable) \_\_\_\_\_

Do you wish to be heard in support of your submission?  YES  NO # of pages

\_\_\_\_\_ If you do not tick a box we will assume you do not wish to be heard.

**Public information**

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

Proposal to prepare a Recreational Management Plan for the Brook

My submission is: Valley Holiday Park and surrounding land.

The NMIT/DOC buildings should not be considered within the Brook Reserve Management Plan

The NMIT/DOC buildings should stay where they are because they are safer. The slip that is said to be unsafe behind the DOC buildings where they are now is way back, whereas the steep hill beside the main camping area of the Brook Valley Holiday Park is closer, steeper and more likely to damage the buildings.


The best campsites would be covered up with carports, right beside the amenities - kitchen, lounge, laundry, toilets, and the campground would not be viable without those carports.

Are the buildings compatible with the designated land use?

It would be confusing for campers trying to find the sites for the campground - driving up through carport grounds and back again

Date 15/1/15 Signature Pamela Mander

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1063272 • May 2013

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		Submission Number	
File Ref		INITIALS	

Name Pam Mander

Daytime phone 027 389 7491

Address P.O. Box 294 Nelson 7040

Organisation represented (if applicable) \_\_\_\_\_

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\_\_\_\_\_ If you do not tick a box we will assume you do not wish to be heard.

Public information

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The consultation/proposal my submission relates to:

Proposal to prepare a Recreational Management Plan for the Brook Valley Holiday Park

My submission is:

Keep the campground open  
The campground always ran at a profit until the Council took over the direct running of it about 4 years ago, stopped advertising it on the NCC website, told people already booked it was closed. Won't let more permanent in, or rent out cabins. Inefficient use of money - Nelmac still moving, ceramic stove tops put in that are more expensive than stoves and Brook is better than Maikai campground, cooler and quieter than Tahunanui without planes flying overhead all day. Marganne Street was correct in saying we need more cheap accommodation.

Section 44 of the Reserves Act 1977 (A 484116) allows local authorities to let people stay permanently on reserve land for permanent accommodation.

Brook has fewer chemicals sprayed than Maikai or Tahunanui.

Date 15/1/15 Signature Pamela Mander

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File Ref		INITIALS	

Name Pam Mander

Daytime phone 027 389 7491

Address P.O. Box 294 Nelson 7040

Organisation represented (if applicable) \_\_\_\_\_

Do you wish to be heard in support of your submission?     YES     NO    # of pages

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**Public information**

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The consultation/proposal my submission relates to:

Proposal to prepare a Recreational Management Plan for the Brook

My submission is: Valley Holiday Park and surrounding land.

Gazetting of land.

I understand it is illegal for the Council to gazette land, it must be done by the Minister of Conservation.

Could I suggest the Council get legal advice as Liza Gibolini advised them to.

If the process is rushed through without proper process, legally and with public consultation it is going to cost ratepayers even more money than it is already.

Section 12 of the local Government Act allows the Council to do certain things but Section 13 is more specific on what Council can do.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date 15/1/15                      Signature Pamela Mander

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File Ref		INITIALS	

Name Pamela Mander

Daytime phone 027 389 7491

Address PO Box 294 Nelson 7040

Organisation represented (if applicable) \_\_\_\_\_

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Public information

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The consultation/proposal my submission relates to:

Proposal to prepare a Recreational Management Plan for the Brook Valley Holiday Park and surrounding land.

My submission is:

Gazetting regarding the Orong Waimarua Bird Sanctuary. Not all the Bird Sanctuary land is gazetted, part of it is gifted land to be used for recreation.

I understand the Bird Sanctuary fence is not supposed to have started yet as it isn't legally permitted, the digger is working daily.

Is the fence for the Bird Sanctuary cost-effective and eco-friendly?

I would like to see more research done on pest control without cutting down so many hectares of trees for an expensive fence that will cost even more to maintain every year, and with questionable success, especially in times of heavy rainfall.

Is it legal to prevent people from accessing reserve land?

Date 15/1/15 Signature Pamela Mander

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FILE NO		INITIALS	

Name Pam Mander

Daytime phone 022 389 7491

Address P.O. Box 294 Nelson 7040

Organisation represented (if applicable) \_\_\_\_\_

Do you wish to be heard in support of your submission?  YES  NO # of pages

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Public information

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The consultation/proposal my submission relates to:

Proposal to prepare a Recreational Management Plan for the Brook Valley Holiday Park and surrounding land.

My submission is:

Gondola in Brook not a good idea.  
Does the Council realise they would have to put 11 KV upgrades up the Brook

Water would be required for a fire fighting system, water and sewerage on Fringed Hill so a pumping station would be required.

With a 160 carpark and 4 bus parks there wouldn't be much land in the campground left.

Brook St. is hard enough to drive up now with a car parked on the roadside, if there were cars and buses driving up and down as regularly as the Gondola Committee would like - 1,000 seats per hour, then the road would be total chaos.

Who would use the gondola? Are there plenty of mountain bikers prepared to pay for a trip up the hill to keep it financially viable? The view over Tasman Bay is hazy in summer and the Middle of N.Z. view is free.

Date 15/1/15 Signature Pamela Mander

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te kaunihera o whakatū  
A1340667

PO Box 645 • Nelson 7040 • 03 546 0200  
www.nelsoncitycouncil.co.nz

**Natascha Van Dien**

---

**From:** Administration Support  
**Subject:** FW BROOK RECREATION RESERVE MANAGEMENT PLAN

-----  
From: Brian Brasell[SMTP:BRIAN.BRASELL@GMAIL.COM]  
Sent: Monday, January 19, 2015 8:19:21 AM  
To: Submissions  
Subject: FW: BROOK RECREATION RESERVE MANAGEMENT PLAN Auto forwarded by a Rule

-----Original Message-----  
From: Mail Delivery Subsystem [mailto:mailer-daemon@googlemail.com]  
Sent: Wednesday, 14 January 2015 9:43 a.m.  
To: [brian.brasell@gmail.com](mailto:brian.brasell@gmail.com)

**SUBMISSION : BROOK RECREATION RESERVE MANAGEMENT PLAN**

I submit that consideration be given to the redevelopment of the campground to :-

- . provide casual accommodation for tenting and campervans
- . include a picnic area to meet the changing needs of the residents and visitors to the Brook Valley
- . develop an entrance way that is welcoming to all visitors

This is an opportunity to provide a quality destination for local residents and visitors alike with a minimum of capital investment.

**CONSIDERATION**

Nelson is a holiday destination offering a range of attractions and activities within the city boundary which encompass Beach & Bush.

Beach activities are well developed, bush/mountain activities are in a growth phase and need facilities to support and retain that growth. The bush/mountain activities associated with the Maitai & Brook Valleys are :-

- . Mountain biking
- . Mountain running
- . Access to tramping in the Richmond Range
- . Bush walking
- . Riverside picnicking (Maitai R only)

In addition the Brook Valley has the Brook Waimarama Sanctuary of which some facilities are currently under construction.

The Brook Valley has a bus service giving a link from the Info-Centre in town to the Brook Motor Camp.

These activities make both the Maitai & Brook Valleys destinations in their own right. The Brook Recreation Reserve Management Plan should address the provision of facilities to promote tourism by



making the Brook Recreation a welcoming place to arrive at. The gate-keepers hut should be removed and the entrance upgraded to make a clear distinction of the destination, that is :

- . The picnic area
- . The campground
- . The Brook Waimarama Sanctuary

The Brook Valley has an attractive stream and could be developed into an attractive picnic area serviced with toilet facilities and parking to support the activities listed above. Note the Brook Valley does not

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17 February 2015

Nelson City Council  
110 Trafalgar Street  
Nelson

To Whom it May Concern,

**RE: BROOK VALLEY MOTOR CAMP**

My name is Basil Jones. I have been the company director of Sun City Motors Ltd for 43 years. I reside at 39 Seaton Street, Marybank, Nelson, and have been a Nelson City ratepayer of four properties for some 46 years, contributing tens of thousands of dollars annually to Nelson City. I have helped many under privileged people in Nelson during that period.

I am writing in regards to the Brook Valley Motor Camp. From the outset of the motor camp's future being made public, I became quite concerned for many reasons.

The Mayor, Deputy Mayor and Peter Rainy are all aware that I approached all three on more than one occasion, expressing strong interest in leasing the camp site so as it could remain as such, and keep many people with a roof over their head so to speak, and build the motor camp into a more respected holiday and accommodation outlet. As I understand, the Brook Street Camp has been in existence now for some 50 years and should remain as such. It helps our local people and contributes to helping resolve the serious housing shortage Nelson has, and always has had. Nelson City Council has a serious problem with campers now just parking anywhere they can throughout the city, costing us ratepayers thousands of dollars per year cleaning up their mess. It would seem the NCC want to encourage this by closing the camp.

To even remotely consider destroying this long established motor camp in favour of a gondola to service a handful of mountain bikers and the such like is beyond belief, and blatantly points to NCC's callous approach of "to hell with the needy, we will look after the greedy"

I would like the NCC to publicly disclose all the names of the proposed gondola's shareholders. If any of these shareholders have any connection whatsoever with any Nelson City Council staff involved in this predetermined decision to support this pie in the sky adventure, over and above the roof over many Nelsonians heads, this is disgraceful and Nelson City Council should hold their heads in shame and immediately withdraw their advanced support as this support and the people involved is a clear conflict of interest, which should not be tolerated.

Nelson City Council has a moral obligation as the representatives of all Nelsonians to act in their best interest of all Nelsonians and not just a handful of greedy investors, which seems to be the case in this instance.

For NCC to come up with an imaginary \$176,000 odd loss last year is very, very suspect and if it is the case, it shows a clear case of NCC incompetence and bad management.

A1340667

Page 70

The Brook Motor Camp is and has been a very valuable asset to Nelson, and must remain to be so. In the hands of proper management, the camp can still be a very viable Nelson asset and a part solution to Nelson's more budget accommodation and if run properly, a very pleasant place for holiday makers to stay as well.

I strongly urge the council to reconsider their one sided stance on their predetermined support for this gondola venture and remember why they have actually been elected to represent all Nelsonians and not just a few. Even remotely considering closing this valuable Nelson asset is a clear case of bad NCC management, and NCC has to stand accountable to this serious blunder they are supporting and consider making factual. If their investors want a gondola so bad there are other areas where they can purchase land to accommodate their mountain bikers, the odd visitor and such like, or maybe combine both.

Again, I strongly advise NCC to let common sense prevail and leave one of Nelson's valuable assets alone and run it as such. If NCC cannot run the camp successfully, please let someone lease or manage it that can bring it back to its former glory and a pleasant place for all Nelsonians and holiday makers to stay.

Once again I strongly urge the NCC to do what is best for the vast majority of Nelsonians. The motor camp is a valuable asset to ALL Nelsonians and has to remain as such.

I am lead to believe the camping ground site was donated to the people of Nelson in the early 1900s by Mr Thomas Cawthorn, as well as the Cawthorn Institute at a later date. If my information is correct, then this council has absolutely no right to interfere or alter this kind gentleman's dying wishes.

This council may well be only in council for a short period and cannot make such a rash unprofessional decision that they are eager to support, for reasons one has to question.

If this holiday park was donated to the people of Nelson then that is where its title has to stay. Council, do not interfere with status quo as you people are the minority in this very debatable issue.

I apologise for the lengthy letter and for repeating myself but I feel it has to be said several times to sink in as to how serious a mistake NCC is considering making by closing this long established motor camp, which will be to the detriment of all Nelsonians.

Yours faithfully,

Basil Jones  
**Director**  
Sun City Motors  
03 544 8869  
027 432 9593

Brook Recreation Reserve management and development ideas

My ideas for the Brook Recreation Reserve are:

1) Absolutely <u>no</u> commercial activity other than the camp be permitted.
2) The camp facilities must be maintained as this is an important facility in the event of a natural disaster (ie earthquake) for emergency accommodation.
3) Because of the inadequate infrastructure (poor road access) no large scale project be permitted - this probably to apply to the re-siting of the NMU's forestry school.
4) No road access through the saddle into Market St. This is a major earthquake fault

Name: Michael Nelson  
 Address: 434 Brook St  
 Email: Kidsons@xtra.co.nz  
 Phone: 5483677

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.

‡ If the camp + open spaces are to be maintained, there is no plan for NMU/DOC/~~NS~~



### Brook Recreation Reserve management and development ideas

My ideas for the Brook Recreation Reserve are:

- Camp ground is important.  
Added Plus is that residents will provide security for other ~~plots~~ buildings (Sanctuary, Mt DOC) and the area in general.
- Campground residents a way of living needs to be allowed for
- Affordable camping
- Value of green-ness

Name: Luca Clark

Address:

Email: luca@ts.co.nz

Phone:

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.

### Brook Recreation Reserve management and development ideas

My ideas for the Brook Recreation Reserve are:

Support the Brook Sanctuary as a regionally/nationally important environmental/educational resource as well as a local amenity site for affordable recreation. The Sanctuary is well-visited by local people and entrance fees to it should be kept reasonable for local schools and visitors alike. Some element of camping would allow an affordable means for visitors to stay and visit the sanctuary.

Name: BEN RUANE  
Address: 205 BROOK STREET, THE BROOK, NELSON.  
Email: ben@ben@xtra.co.nz  
Phone: 03 546 6746

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.



**Brook Recreation Reserve management and development ideas**

My ideas for the Brook Recreation Reserve are:

# That the financial viability of the campground not be judged by it's performance under council management
# That the public funds invested in things like the \$500,000 renovation of the tennis club's road and the \$180,000 dollars allocated to the modernization of mayor Rachel Reeves office within the last 24 months would have been a better more than sufficient investment to make the re opening of the Brook campground a realistic option !!

Name: Simon Bace  
 Address: [scribble]  
 Email: Rapier45@gmail.com  
 Phone: 022 814 0098

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.



Brook Recreation Reserve management and development ideas

My ideas for the Brook Recreation Reserve are:

- Outdoor Course (Physically challenging for older kids)
- Campsite with cheap sites for overseas freedom campers. Encourage them off car parks
- Greater use from the local schools. Ask what they would like to see in the way of facilities

Campsite Infrastructure: Mini golf  
Muzc Swimming pool  
B.B.Q sites  
Physical Ed. Centre  
Education Centre for school  
Cycle Tracks  
Evenb: Film nights  
Provide facilities that will draw in visitors  
as has happened with Hockey Reserve  
Excellent

Name: JOHANNA COLLINS

Address: 5 HOCKEY PLACE

Email: \_\_\_\_\_

Phone: 03-548 2276

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.



### Brook Recreation Reserve management and development ideas

My ideas for the Brook Recreation Reserve are:


Name: John Bealing  
Address: 153 Tasman St  
Email: bealing.john@xtra.co.nz  
Phone: 5481035

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.

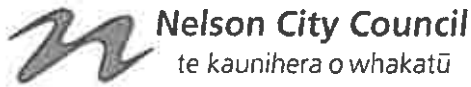
**Brook Recreation Reserve management and development ideas**

My ideas for the Brook Recreation Reserve are:

Re develop the camp ground to provide for bikers, hikers and casual visitors
Improve access to the Brook Sanctuary rather than go through the camp
Develop a picnic area to provide facilities for bikers; hikers and day picnickers
Within Nelson we have within city boundaries - beach and bush, both of which are destinations in their own right

Name: Brian Brasell  
 Address: 20 Austin Ward Hts  
 Email: brian.brasell@gmail.com  
 Phone: 03 5477 539

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.



### Brook Recreation Reserve management and development ideas

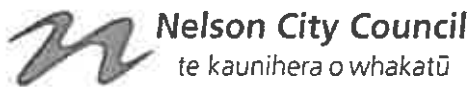
My ideas for the Brook Recreation Reserve are:

*The Brook is a quiet residential area with many young families and people walking dogs into town. This would be incompatible with increased traffic due to any commercial ventures. This has already been noticeable from people accessing the mountain biking track.
*The camp ground has been important to Nelson & it needs to be maintained and stay open

Name: Eva Pick  
Address: 14 Sowman St Nelson  
Email: evapick@gmail.com  
Phone: 03 545 7585

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.





### Brook Recreation Reserve management and development ideas

My ideas for the Brook Recreation Reserve are:

this meeting has been made up  
of 40% Brook residents - 40% Council  
and 20% other interested residents.  
the camp and traffic are key and  
people feel we wouldn't even be here if  
the camp had been run properly in the  
first place. the 40% Brook and 20% misc  
think the Council has a hidden agenda  
(i.e. gondola + parking)

Name: Pam Frahm

Address:

Email: frahm@TS.CO.NZ

Phone: 5444005

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.

Brook Recreation Reserve management and development ideas

My ideas for the Brook Recreation Reserve are:

Thanks for the meeting
The Brook camp has served the City well for decades
I would be most keen to see it stay open particularly as accommodation is under so much pressure
Is there a hidden agenda?

Name: MIKE ROWELL (Valley resident for 25 years)  
Address: 49 SELBOURNE AVE Richmond  
Email: victory.flags@xtra.co.nz  
Phone: 03 544 5585

Tick here if you are happy to be contacted about these ideas and/or provided with more information about the Brook Recreation Reserve Management Plan process.





June 2015 – Draft for Consultation

Rob Greenaway & Associates

**Nelson City Council  
Draft Brook Recreation Reserve  
Management Plan 2015 - 2025**





# **Nelson City Council Draft Brook Recreation Reserve Management Plan 2015 - 2025**

**Prepared for Nelson City Council  
by Rob Greenaway & Associates  
[www.greenaway.co.nz](http://www.greenaway.co.nz)**

**Draft for Consultation ver 1  
3 June 2015**

## Nelson City Council Draft Brook Recreation Reserve Management Plan 2015 – 2025

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Draft for Consultation



*Letter from NCC releasing draft plan for consultation and setting out response opportunities*

## 1 Introduction and Summary

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This draft management plan responds to a period of uncertainty about the use and management of the Brook Recreation Reserve, located at the southern end of Brook Street in Nelson City. The Reserve is made up of areas of freehold title held by Nelson City Council (NCC), and part of a recreation reserve gazetted as such under the Reserves Act 1977. It also includes the Brook Valley Holiday Park, which has been operating as a camping ground since the mid-1920s. Management of the camping ground has been inconsistent in recent years, resulting in uncertainty for residential campers and a significant reduction in its use by casual campers. Interest has also been shown in alternative uses of the Reserve, including developments for tourism, education and to better support the activities of the Brook Waimarama Sanctuary.

This draft plan reviews the issues affecting the use and administration of the Reserve – and there are many. The land is subject to a multitude of statutory and planning rules and regulations, and several have not been complied with in the past.

The draft plan also considers the potentially competing uses for the Reserve, and again there are many. The intent of this draft is to develop an approach by which all potential uses are complementary, or at least not in conflict. However, this may result in some compromises, and consultation on this draft plan will identify how acceptable those compromises are.

Two possible Visions are proposed. One includes provision for a significant regional tourism and recreation hub within the Reserve (within a defined footprint), and the second provides for a lesser scale of tourism development. Under both scenarios, provision is made for a camping ground (which is desired, or not opposed, by all those consulted to date) and for residential camping, and for the Reserve to be gazetted as recreation reserve under the Reserves Act. It is also proposed to close the public road currently passing through the Reserve and to transfer its status to recreation reserve.

The possible effects on traffic in the Brook Valley resulting from tourism developments in the Reserve are described, using the current proposal for a gondola or cycle lift as a template. The draft plan considers options for other tourism and recreation developments, and notes that most options, including the gondola proposal, will require resource consents, which are likely to be publicly notified. The final adopted management plan will therefore not be the final word in permitting many of the proposed developments within the Reserve.

Both Visions support the use of the Reserve for education activities proposed by the Nelson Marlborough Institute of Technology (NMIT), some of which are for the Department of Conservation, and by the Brook Waimarama Sanctuary. A fundamental provision is to support the activities of the Sanctuary which leases a significant area of land adjacent to the Reserve.

A Brook Recreation Reserve Board is also proposed to manage the Reserve as an administering authority, although policies have been drafted to enable NCC to remain the administrator should the idea of an independent Board not be adopted.

Nelson 2060 – the city's sustainability strategy adopted in 2013 – was kept in mind as the objectives and policies of this plan were drafted. This strategy is based on extensive community input and external review and focuses on developing a healthy, prosperous and happy Nelson over the next fifty years. The strategy includes a vision for Nelson.

*Nelson 2060 is an inclusive city, with a diverse range of residents who can connect easily to each other and to the beautiful place we call home. Our inclusive leadership style supports our unique approach to living, which is boldly creative, ecologically exemplary, socially balanced and economically prosperous.*

This draft plan supports several of the Nelson 2060 goals:

- We are all able to be involved in decisions
- Our natural environment – air, land, rivers and sea – is protected and healthy
- We are able to rapidly adapt to change
- Our economy thrives and contributes to a vibrant and sustainable Nelson
- Nelson is a centre of learning and practice in Kaitiakitanga and sustainable development
- Everyone in our community has their essential needs met

An early apology is made for the fact that this draft plan is quite long and is relatively complex. There is no short way of digesting it easily. Section 9 – the objectives and policies – are relatively short, and you might wish to start reading there, although you will then need to refer to earlier sections for clarification.

Your input through the consultation process is most welcome. A consultation response form is provided separately.



## 2 Reserves Management Context

---

Management planning enables Council to identify the desired mix of uses for each reserve or group of reserves under its control, to protect specific values, and to agree on policies which guide the day-to-day management and use of reserves.

The Reserves Act 1977 (Section 41) requires that management plans be prepared for all reserves, except local purpose reserves. Areas that are not reserves, such as the freehold lands identified in this plan, can still be included in a reserve management plan. However, they need to be identified as freehold land and Council cannot be bound by the terms of the Reserves Act for them. The management plan for these areas becomes Council policy under the Local Government Act 2002 (including Section 138 which requires consultation regarding long leases or disposal of a 'park' – see Section 5.2 of this draft plan).

The Act states that a management plan should provide for and ensure the use, enjoyment, maintenance, protection and preservation of a reserve in a way that is appropriate to its classification. This draft plan recommends gazetting all freehold land, and the legal road within the Reserve, as recreation reserve. Accordingly, the considerations required by the Act have been applied to the entire Reserve.

Management plans are prepared through a public process. Council first advertises its intention to prepare a draft plan and invites the public to provide suggestions (summarised in Section 6 of this draft plan). Council then prepares a draft management plan (this document), taking into consideration suggestions received and other consultation and research. The draft plan is publicly notified and submissions sought from all interested parties. Council also provides an opportunity for people to speak in support of their submissions.

This draft plan will be amended in response to public submissions and the recommendations made to NCC by a hearing panel. Council will then form and adopt a final management plan. The Reserves Act requires that Council then keeps the management plan under continuous review to ensure that the plan responds to changing circumstances or increased knowledge. It will also be formally reviewed after 10 years.

### 2.1 Structure of this Management Plan

---

This draft management plan includes the following sections:

- Section 3: Locates and describes the Reserve
- Section 4: Reviews the history of the Reserve
- Section 5: Reviews the many statutes, regulations, policies, strategies and rules which apply to use and management of the Reserve
- Section 6: Summarises the consultation that was carried out to inform this draft management plan
- Section 7: Considers the main management issues and options facing the Reserve
- Section 8: Takes the discussion of Section 7 and proposes two alternative Visions for the Reserve

- Section 9 Defines a set of objectives and policies that will help achieve the Visions. This includes describing a potential administrative authority for the Reserve

In the final version of this management plan, it is likely that the contents of Section 7 will be significantly reduced and summarised to describe the rationale behind each set of objectives and policies in Section 9.

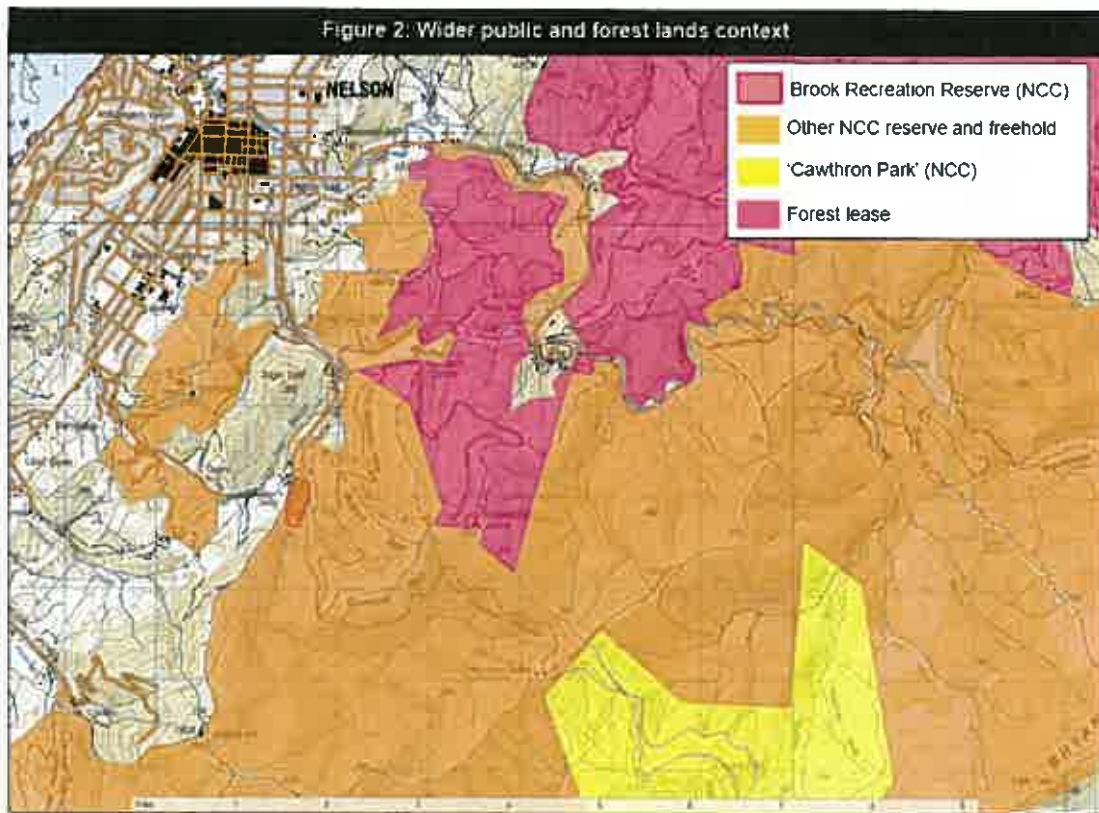


### 3 The Site

The Brook Recreation Reserve is located at the southern end of Brook Street at the entry to the Brook Waimarama Sanctuary. The site includes land classified as recreation reserve



under the Reserves Act 1977, legal road and freehold land held by Nelson City Council (NCC or 'Council'). The 10.112ha Reserve is located adjacent to a much larger area of publicly-accessible land, and other land held freehold by Council, including other forms of reserve as well as landfill near Bishopdale, and forest lease where public access is based on formal agreements with leaseholders and owners. An area of more than 1000ha of land gifted to the Council in the 1860s by Thomas Cawthron is located beyond the Brook catchment in the headwaters of the South Branch of the Maitai River and the Roding River (Figure 2)



One parcel of land within the Reserve was gifted to NCC in 1911 to "be held for ever as and for Pleasure Grounds or for any other purpose of enjoyment or recreation" However, it currently remains as NCC freehold title.

The NCC *Urban Environments Bylaw 2015* defines a reserve as any land which is owned or under control of the Council and which is set aside for public enjoyment as a reserve, park, garden or open space. This allows Council to manage an area as a reserve even if it has not been gazetted as one under the Reserves Act 1977 (although the Reserves Act will not apply to such land and it will be managed under the Local Government Act 2002, amongst others), hence the naming of the land covered by this plan as the Brook Recreation Reserve.

In this plan, where the word 'Reserve' is capitalised, it refers to the Brook Recreation Reserve. Where it is not capitalised, it refers to the gazetted recreation reserve component.

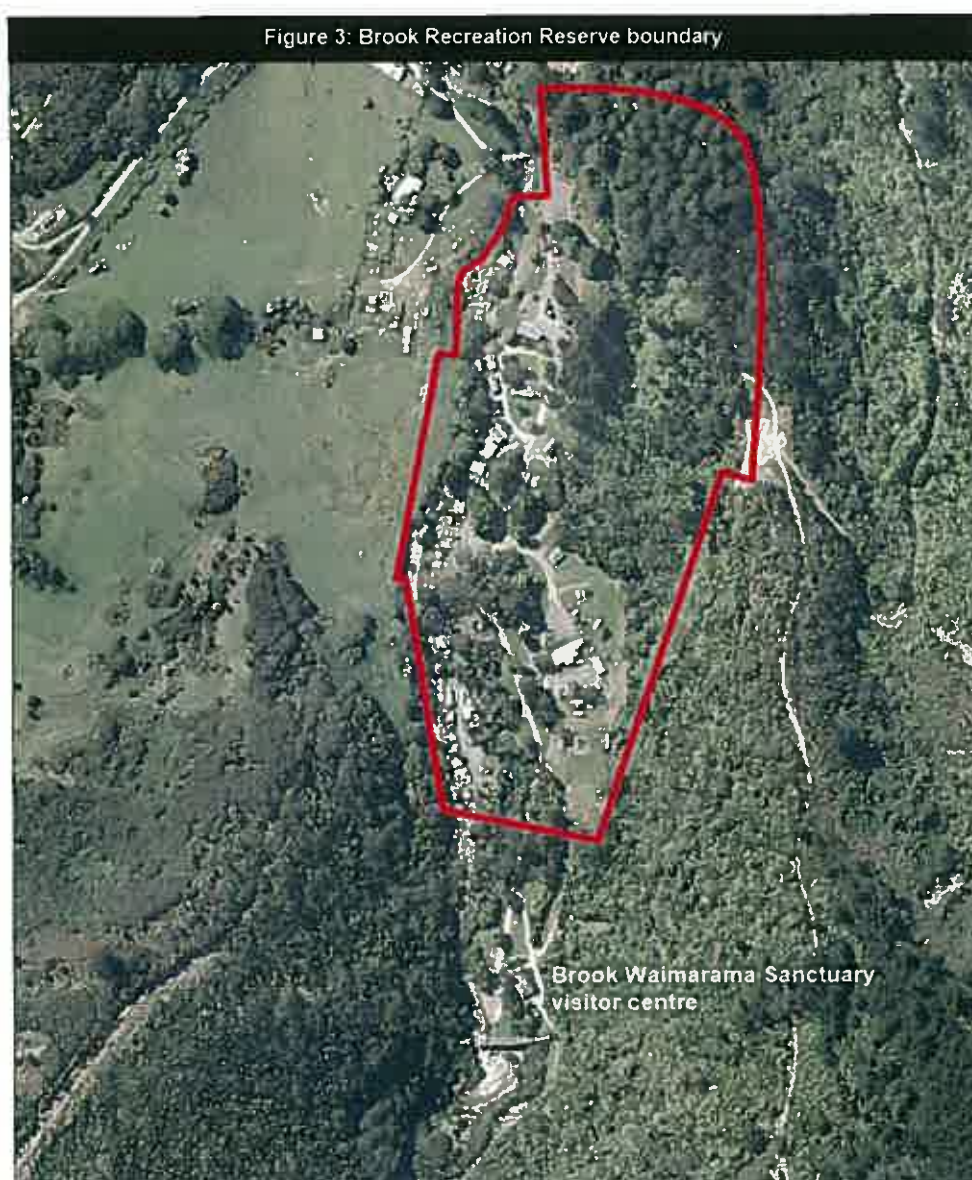
The Reserve includes all land at the site zoned Open Space and Recreation under the Nelson Resource Management Plan (NRMP). This zone defines the north-eastern Reserve.



boundary, as well as all land areas which have been used as camping ground. The NRMP also schedules the Open Space and Recreation Zone area within the Reserve as a 'camping ground'.

The Open Space and Recreation Zone (and the scheduled camping ground boundary) does not entirely follow land title boundaries. This means that part of the Reserve area has previously been included in Council's existing Conservation and Landscape Reserves Management Plan (2009). This new management plan supersedes the older plan for those areas.

The gazetted recreation reserve land parcel extends into an area leased to the Brook Waimarama Sanctuary. As the lease defines the primary uses and management controls of this part of the recreation reserve, it is not included in this management plan. This leased part of the recreation reserve remains within the scope of the *NCC Conservation and Landscape*



### *Reserves Management Plan*

Some of the land on the eastern edges of the Reserve is zoned Rural, while a sliver on the western edge is within the Residential Zone. The small size of the latter area means it is insignificant for the purposes of this plan.

A complex array of planning mechanisms therefore apply within the Reserve boundary, but the intent of the boundary definition is to:

- develop a plan which is appropriate to an area with a defined set of uses and values and which considers planning zone boundaries (to include all areas scheduled as camping ground, zoned Open Space and Recreation, and gazetted as recreation reserve outside the Brook Waimarama Sanctuary lease),
- include whole land parcels where possible, and
- appropriately direct long-term use and development of a cohesive setting

The Brook Recreation Reserve has traditionally been used as a camping ground, with its hey-days in the 1960s and 1970s. Investment and activity in the camp ground has waned over the past decade. The main existing uses of the Reserve are now by semi-permanent residents in relocatable homes (although several have quite fixed components) and some of whom have been in site for more than a decade, some casual commercial camping, and as an entry and utility area for the Brook Waimarama Sanctuary.

### **3.1 Reticulated services**

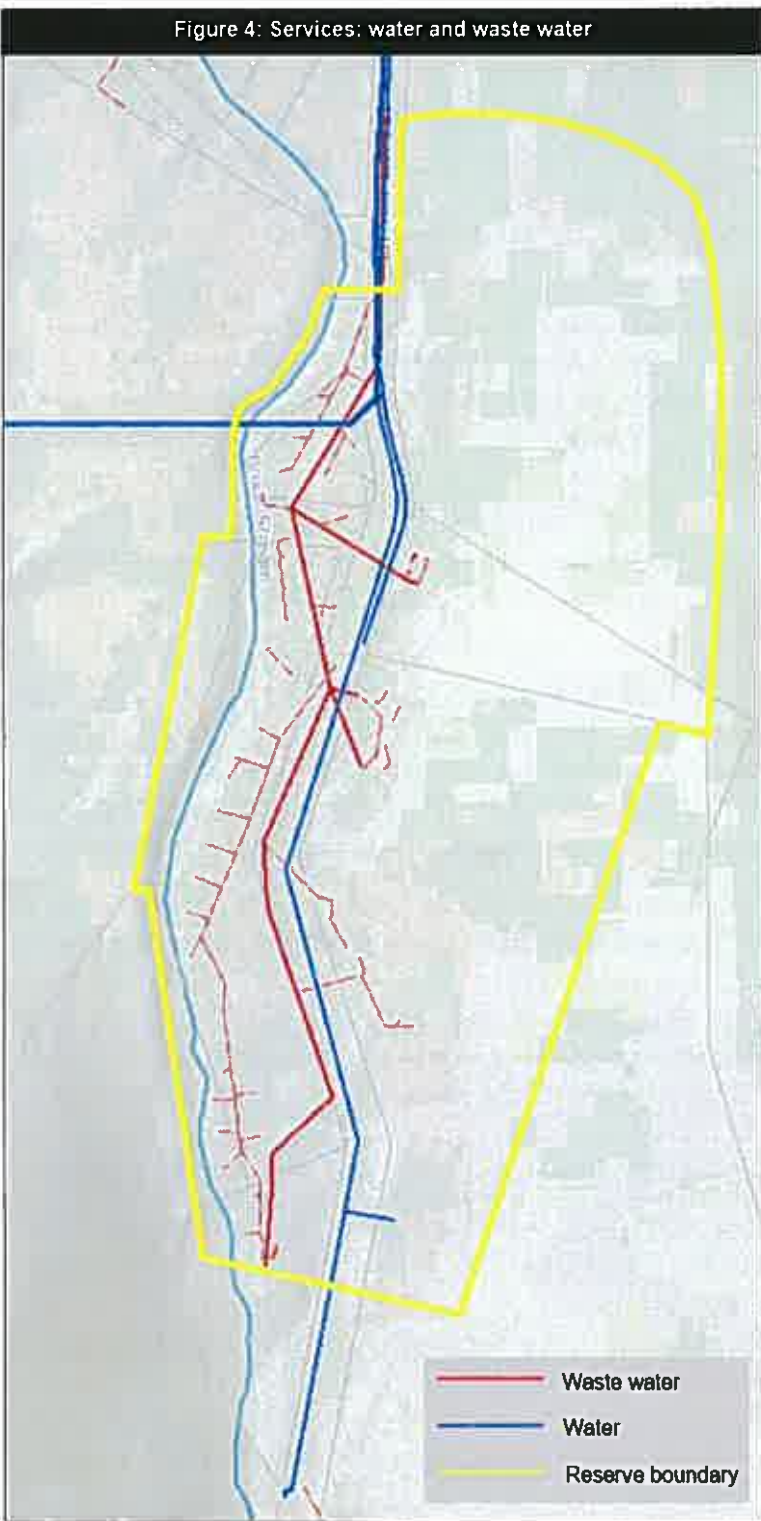
Figure 4 shows reticulated services within the Reserve. These include waste water pipes connected to gully traps. These are adjacent to the long-term camping sites west of the road and are only suitable for grey water (and not for sewage), installed around 2011. The main waste water line was connected to the camp along Brook Street in the late 1970s to replace a septic tank system which was overloaded during the peak season.<sup>1</sup>

Waste water connections to the east of the road are only connected to buildings.

The water supply system shown in Figure 4 does not detail the water taps provided throughout the Reserve and adjacent to long-term camping sites. The only provision for stormwater within the Reserve is located at the car park on Brook Street, north-east of the camp gate.

The Reserve is serviced by public transport.

<sup>1</sup> Seddon Marshall, pers. comm. This inoperative septic tank might still be in place.



## 4 Reserve History

*It is difficult to realise now, that in 1842, on one side, and for some distance up the Maitai River, and up the Brook street stream (this last locality being then called Little Scotland) there was a dense forest of trees of large size, and considerable value. There were to be found mati, pukatere, tikotea, totara, white and red pine, several kinds of birch, and the curious milk tree<sup>2</sup>, which, when tapped, yields a sap like milk, and by no means unpalatable. There is nothing left of this primeval forest now, although the locality is called "the Wood." Birds, too, were plentiful in the Wood, and afforded some sport to the settlers. The wild pigeon, the kaka, the weka, and the pukaki [pukeko?], were numerous; but have entirely disappeared before the progress of settlement, and the native rat, once so serious a nuisance, has taken to other haunts, although once or twice, of late years, we have been reminded that he is by no means extinct.*

From The Jubilee History of Nelson From 1842 to 1892 by Lowther Broad (1892)

Cindy Batt, Shanann Carr, Dawn Goodman, Bob Lynch, Seddon Marshall and Helen Pannett are acknowledged for their assistance in preparing this history

### 4.1 Maori History

Much of the pre-European history of the Brook Recreation Reserve area is privy to the iwi of Te Taihū and their descendants. This summary of Māori history is based on publicly-available information relating to the relationship of Māori to the Reserve and does not provide information specific to each iwi of the district. It has been compiled by Cindy (Te Ata) Batt.

Despite the habitat richness of its swampy and forested ecosystems, Whakatū was not a long term habitation or cultivation site for Māori. It was, as Mitchell & Mitchell (2004)<sup>3</sup> have noted, treasured as an extremely rich mahinga kai (food gathering area) for seasonal harvests of shellfish, fish, birds' eggs, aruhe (fern root), harakeke (flax), tutu berries and other resources.

Whakatū was also an important junction for many of the trails to and from Westland, Buller and Karamea, where resources of pounamu (greenstone), flint from Pahau (used for drilling greenstone) and kakara laramea (a sweat-scented gum made from speargrass leaves) were gathered.

Because of the strategic location of Whakatū on these trading routes, and with its abundant local food resources, the Waimea estuary and neighbouring districts were much coveted. Māori tribal history depicts many changes in the dominant iwi in the region as various tribes strove for rights.

By the early 1840s newly dominant iwi had permanent settlement sites in areas like Rangitoto, Whakapūaka, Motueka, and the Abel Tasman Coast, while continuing to use Whakatū as a seasonal resource area for fish and birds.

<sup>2</sup> Matai, pukatea, titoki, totara, kahikatea, red beech, beech and possibly turepo – either the small or large leaved milk tree.

<sup>3</sup> Mitchell, H & Mitchell, M. J. (2004) *Te Tau Ihu o Te Waka: A History of Maori of Nelson and Marlborough, Volume 1: Te Tangata me te Whenua: The People and the Land*. Huia Books.



Evidence given by Ngāti Rārua witnesses during the Native Land Court hearing into the ownership of the Nelson and Motueka Tenth's Reserves asserted that their tribe had mahinga (food-gathering places), identified as being "at Mahitahi and other parts of the locality". Other submitters noted that the Chief of Ngāti Tama of Wakapūaka had a lake (right) to Nelson and the mahinga there.

As a result of The Treaty of Waitangi Settlement Acts (August 2014) seven of the eight iwi with an interest in the region have been given statutory acknowledgement over the Mahitahi/Maitai catchment and its tributaries, which include the Brook Stream (see Section 5.7.1). These are:

- Te Ātiawa o te waka ā Māui,
- Ngāti Rārua,
- Ngāti Tama ki Te Taihu,
- Ngāti Koata,
- Rangitāne O Wairau,
- Ngāti Toa Rangatira, and
- Ngāti Kua

In the early 1800s the forest in the Brook area was flourishing with bird life, and the rivers and streams were teeming with native species of tuna (eels), inanga, koura wai māori (freshwater crayfish) and molluscs. The creeks and river banks also provided watercress, berry fruit, flaxes and grasses. There are numerous accounts of tuna tracking overland within the Reserve area, supporting older stories of tuna heke (migration of eels) between the Mahitahi/Maitai and Brook catchments. The Reserve area remains a source of pakohe (argillite), used for making adzes and other tools, due to its proximity to the Nelson mineral belt.

Māori of earlier times were attracted to the catchments of the Brook and Mahitahi/Maitai due to the ease of seasonal resource gathering, with kai (food), plant material for building and crafts, and local minerals for tools; all regarded as taonga. It is very likely that many hāpu of the locally dominant iwi took, at the very least, temporary shelter within the area that is now the Brook Recreation Reserve.

Māori retain a unique relationship with their environment and immediate surroundings and maintain their role as 'kaitiaki o te tai ao' (guardians of the environment). Their knowledge of seasons and migratory patterns, celestial interpretation and depth of knowledge regarding minerals and their qualities are integrated into daily living. The maintenance and recognition of the natural and cultural resource values within the Reserve remain important iwi considerations.

## 4.2 European history

### 4.2.1 From reservoir to campground

The New Zealand Government Gazette of 16 September 1865 gave notice that, under the Nelson Waste Land Act 1863, "all the Crown Land included within the watershed of the gorges of the Brook stream and tributaries, bounded on the south ward by the ridges of

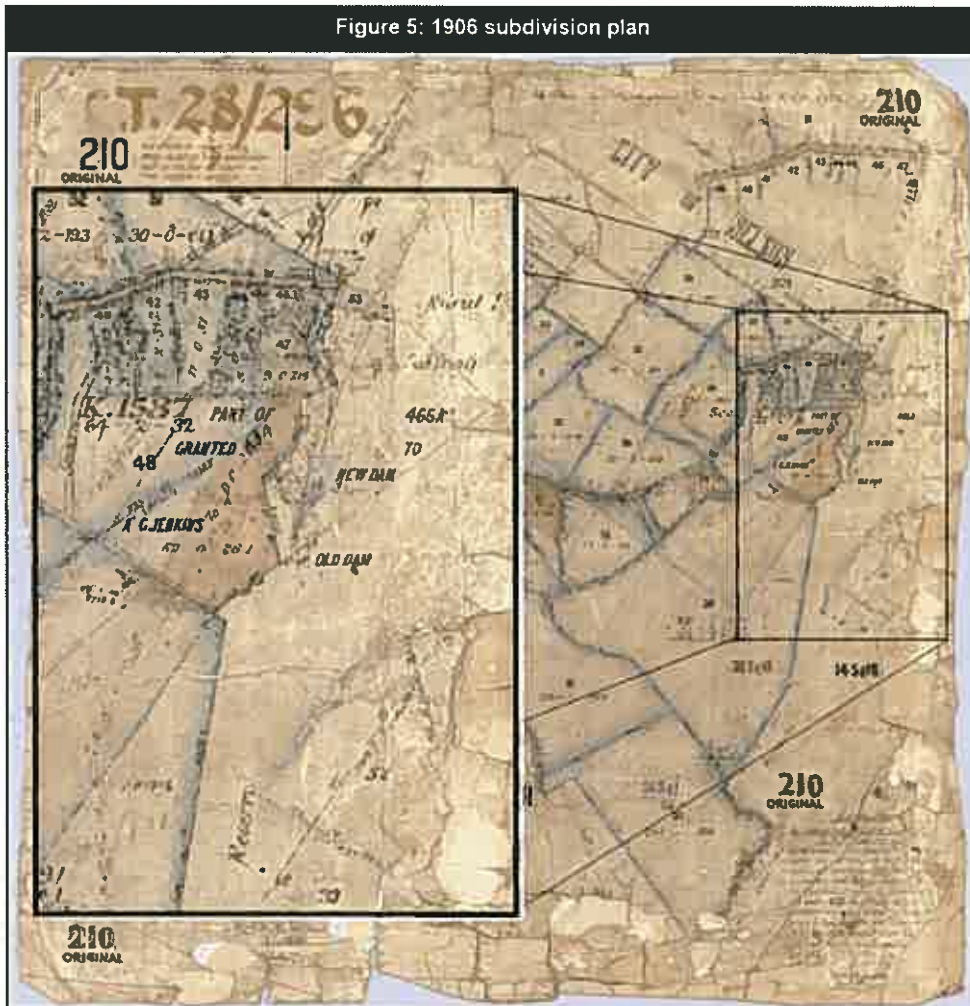
the hills forming the said watershed, and on all other sides by the sold lands [that is, land in private ownership]" was reserved for the purposes of the Nelson Waterworks. In 1879 the Crown vested the ownership of the 'Waterworks Reserve' in "the Mayor, Councillors and Burgesses of the said Borough of Nelson, in trust for the purposes aforesaid [a waterworks reserve]."

It is a little unclear as to how far north the boundary of the Waterworks Reserve extended into the existing Brook Recreation Reserve at that time.

The original Brook water supply consisted of the 'old dam' (or the 'No 1 weir') and the 'waterworks reservoir' completed in 1868. The 'old dam' was located fully within the Waterworks Reserve but the reservoir may have been located on land purchased separately for that use. The 'new dam', now referred to more commonly as the Big Dam was completed in 1904.

The 1906 subdivision plan for land to the west of the Waterworks Reserve shown in Figure 4 indicates the 'old dam' as part of the Waterworks Reserve. However, it is not clear if the site of the waterworks reservoir (now within the Brook Recreation Reserve) and the Big Dam were

Figure 5: 1906 subdivision plan



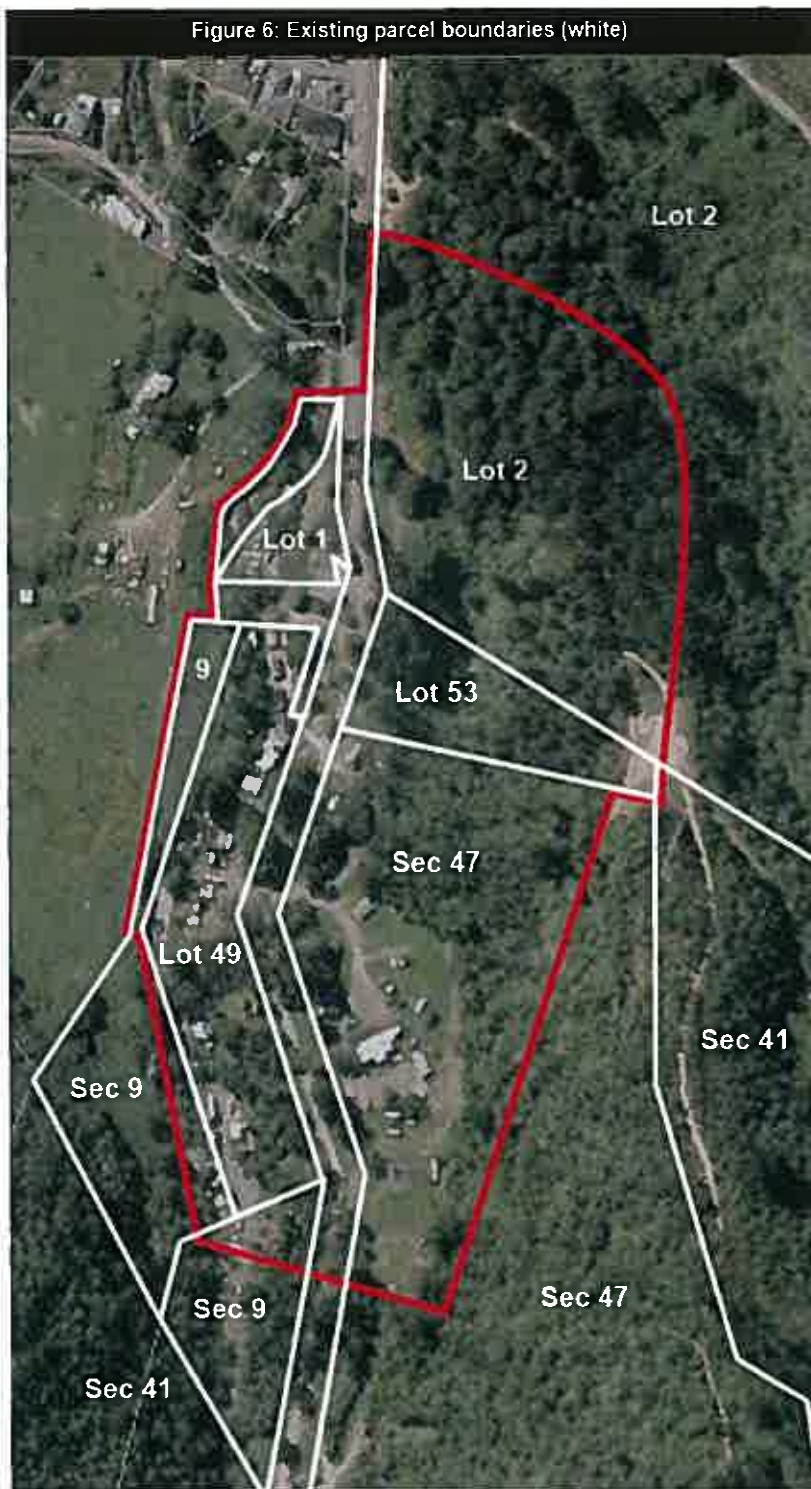


part of a separate title  
 Either way, the Big Dam (shown as the 'new dam' in Figure 5) is shown as a surveyed land feature on the same area as the waterworks reservoir, and the site was managed as Waterworks Reserve from the 1860s. This includes the existing recreation reserve.

Council minutes reported in the *Colonist* newspaper in 1904 indicate that at least part of the Big Dam site had been acquired 'from the late Mr Jenkins' before then, and that a neighbouring land owner, Mr A O'Brien, was concerned that, "the new dam encroached on his land and cut off his water supply."<sup>4</sup> In February 1905 Council had completed "a survey of Upper Brook street, which showed that the wall of the dam encroached on private property". It was moved that the Mayor and two councillors, "be deputed to wait on Mr O'Brien to ascertain on what terms the land could be purchased, and also the piece of scrub on the western side of the dam"

*"The Mayor seconded the motion, and said the map they had*

Figure 6: Existing parcel boundaries (white)



<sup>4</sup> Colonist, Volume XLVI, Issue 11008, 23 April 1904, Page 2

*and the survey did not agree. The land was not very valuable, and he suggested in Committee that they should secure the whole of the watershed. He would like the Council to agree to that course, so that the Committee would have definite instructions. According to their estimate they would need 32 acres. Cr Hounsell thought the reserve should be fenced on both sides. The Town Clerk's name was added to the Committee, and as amended the motion was carried*<sup>5</sup>

At the following Council meeting it was reported that the Committee had met with Mr O'Brien and "obtained an offer in writing from him, which they submit"<sup>6</sup>

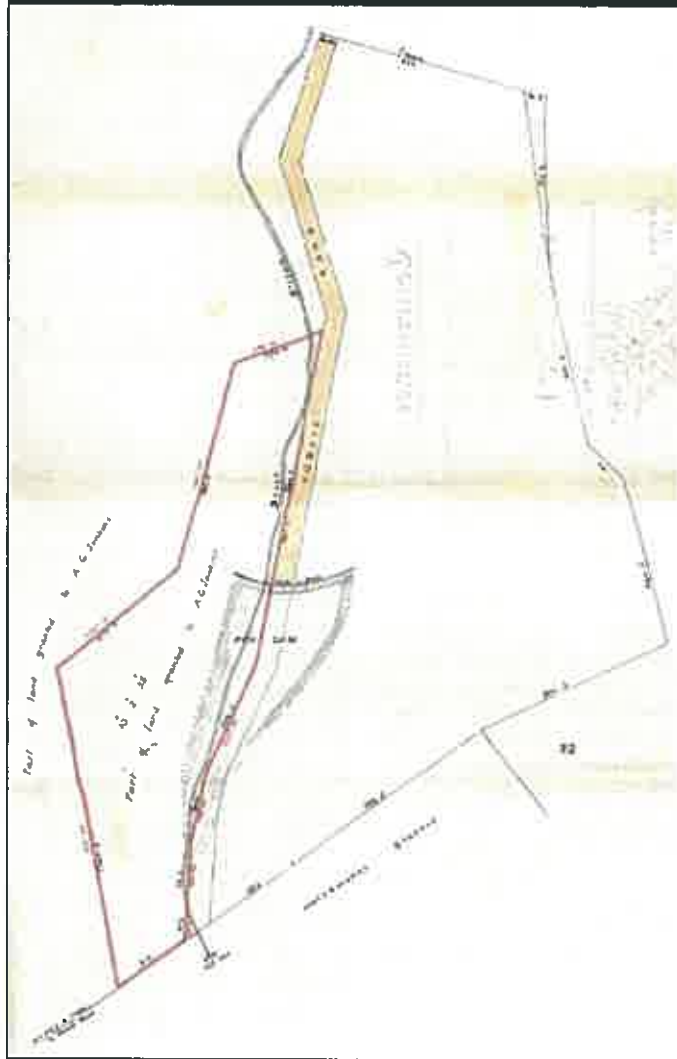
A deed held by the Nelson Provincial Museum dated 6 May 1905 shows that Alexander O'Brien sold – for 107 pounds, 3 shillings and 9 pence – to Nelson City Council a parcel of 10 acres, 2 roods and 35 perches which makes up, more or less, the western side of the Brook Stream from just below the 'old dam' (Figure 7). The northern end of this parcel is the trapezoid-shaped part of Section 9 in Figure 6.

The existing title for Lot 53 within the Reserve (the parcel immediately north of the recreation reserve, see Figure 6) on the east of the Brook Stream shows a large part of the 465 acres originally granted to A G Jenkins was surveyed for subdivision for 'Messrs Felt, Jackson & Rout' in 1906. This included Lot 53 and much of the land to the west of the road through the Reserve.

In 1931 the Council purchased Lot 53 from Ellen Florence Smith<sup>7</sup>

In the early 1910s proposals were in place to secure the large area from the Newport

Figure 7: 1905 deed plan for land sale to the City of Nelson



<sup>5</sup> Colonist Volume XLVII, Issue 11255, 11 February 1905 Page 2

<sup>6</sup> Colonist Volume XLVII, Issue 11266, 25 February 1905 Page 2

<sup>7</sup> File G10 03

Estate as part of the Waterworks Reserve, with a loan raised to enable its purchase. This lot was described as along the northern boundary of the Waterworks Reserve in 1911.<sup>8</sup> Lot 2 in Figure 6 was acquired by NCC from William Andrews in the 1930s, and this may have been the same area.<sup>9</sup>

The small parcel of Lot 1 immediately west of Lot 2 was purchased from Roy Simpson in 1957. A small parcel to the west is riverbed and has no title. Section 9 south of Lot 1 appears to have been acquired by Council as part of stopping the road access heading west as shown in Figure 5.

Lot 49, south again, was gifted to NCC in 1911 by Charles Fell, William Rout and Ralph Jackson. The Memorandum of Transfer states that the piece of land "be held for ever as and for Pleasure Grounds or for any other purpose of enjoyment or recreation".<sup>10</sup> All three men were active members and patrons of the Nelson Beautifying Society in the early 1900s.<sup>11</sup> Council minutes recorded in the Nelson Evening Mail state:

*From Messrs Fell and Atkinson, stating that when Messrs Fell, Jackson and Rout laid off the Enner Glynn property they reserved from sale a plot of land*

Figure 8: Brook Street Reservoir and Cottage 1902-1908



Kerr Collection/Nelson Provincial Museum Permanent Collection  
A630 317298

<sup>8</sup> Nelson Evening Mail, Volume XLVI, 27 May 1911, Page 8

<sup>9</sup> File G10-03

<sup>10</sup> NL T 11452, NCC recall file F5000000501601. A legal opinion was sought by NCC in 2015 as to the enduring effect of this gift.

<sup>11</sup> Nelson Evening Mail, Volume XLVII, 18 April 1912, Page 2



*containing three or more acres situated on the Brook stream, just below the Corporation water works reserve and extending from near the big dam to some distance below the iron gate. The owners now desired to offer the land to the public as a reserve if the Council would undertake the care of it, subject to the condition that it should be held for ever as a public recreation reserve. The letter was referred to the Works Committee to frame a reply, expressing the Council's appreciation of the gift.*<sup>12</sup>

The existing certificate of title for Lot 49 has no reference to reserve status of the land, and a search of the NZ Gazette has revealed no formal protection of the land beyond its freehold condition. Nonetheless, the intentions of the Memorandum of Transfer remain.

In 1914 the Council's Finance Committee was instructed to 'proceed with the transfer from Mrs Blick of five acres of land' adjoining that 'recently acquired' as Waterworks Reserve.<sup>13</sup> It is not clear where this land was, but more recent property titles show a variety of older boundaries which have changed over time.

In the same year the City Engineer provided a 'comprehensive report to Council on its 'places of public recreation'. Of the Waterworks Reserve he stated:<sup>14</sup>

*The Council visited this within the week, and those members who went there saw what has been done.*



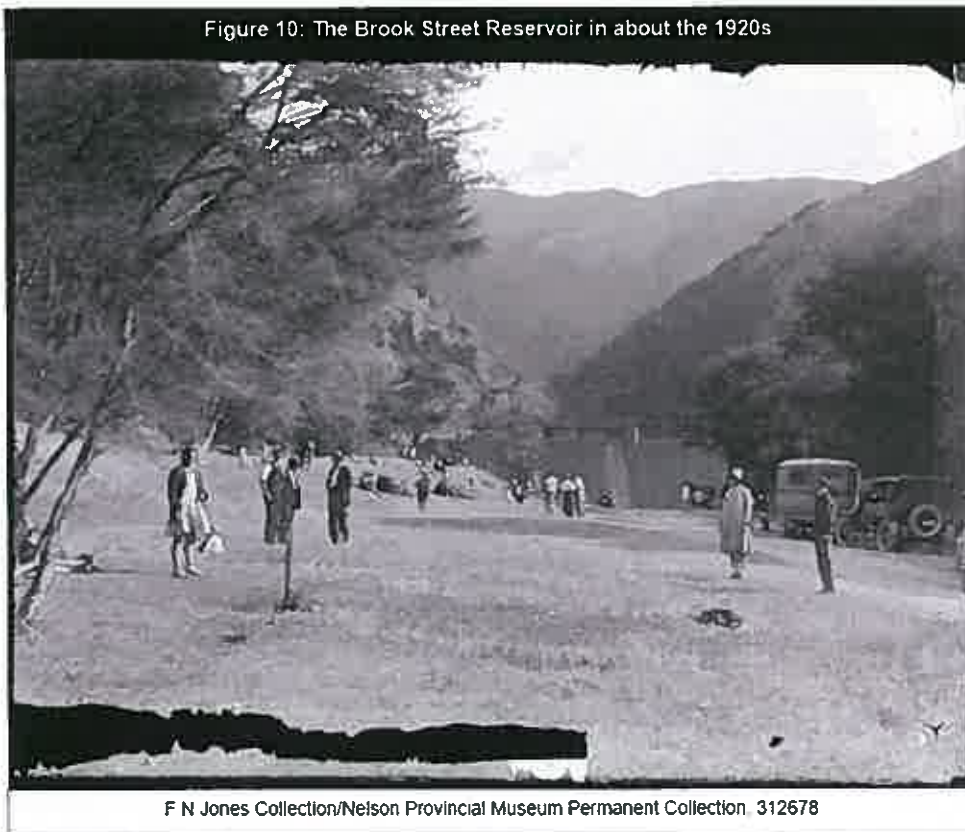
<sup>12</sup> Colonist, Volume LIII, Issue 13165, 22 July 1911, Page 4

<sup>13</sup> Nelson Evening Mail, Volume XLVIII, 23 May 1914, Page 3; Nelson Evening Mail, Volume XLVII, 20 December 1913, Page 3

<sup>14</sup> Nelson Evening Mail, Volume XLVIII, 20 June 1914, Page 7

*and, I understand, approve the work. This ground, of course, is under the strict control of the Council, and open only to permitted visitors. The caretaker has authority to show people over the works, and to permit adults and others in charge of a responsible person to visit as far as the upper weir [the No. 2 weir, above the 'old dam']. In my opinion, it would be extremely ill-advised to make the ground above the big dam too free, and certainly no one should be allowed there without the knowledge of the caretaker. If permits are to be required, the Engineer, as the officer responsible for the water supply, is the proper person to grant or arrange for them. There is no reason why the ground below the big dam, especially as a great part of it happens to be a public road, should not be perfectly open to anyone who chooses to make use of it. The previous Council were of the opinion that it should be made known as a place available for picnics.*

Council meeting minutes first show a mention of the proposal for a camp at the Brook in early December 1926 when the City Engineer was asked to report on what would be required to establish camping sites for motorists at a site near the reservoir. Later that month a site visit by councillors was arranged. By the end of the month Councillor Gibbs formally proposed that that a site at the northern end of the Waterworks Reserve inside the gate be set apart as a camping place, that some sanitary conveniences and fireplaces be provided, and that the charge be two shillings per night or ten shillings per week for each car, and that the caretaker of the Waterworks Reservoir was instructed to collect the fees in advance and erect notice



boards warning against damaging or interfering with the trees. Councillor Plum seconded the motion.

C W Bell records in his history of the second 50 years of the NCC<sup>15</sup> that, the following year, surprise was expressed that though the camp had been developed as instructed, "motorists were not using it but were camping elsewhere. It was decided to publicise the facility."

The land title which contained the reservoir (Section 47 Brook Street and Maitai District) was gazetted by the NCC as recreation reserve under the Reserves Act in 1980, after having been created as a separate title in 1978 from Sections 9 and 41 Brook Street and Maitai District<sup>16</sup>. At this time the Big Dam was lowered for the second time for safety reasons – having filled with shingle after a major flood in 1970 and continuing problems with leaks and cracks. Council records indicate that Council was reviewing the future of the camp over the same period, with a proposal by the managers of the Tahunanu Beach Camp to adopt management of the Brook and Maitai campgrounds. At that stage, the Brook camp was still managed by the caretaker of the Waterworks Reserve.

The more southern Section 9 and the two Sections marked as 41 in Figure 5 share the same title (NL69/288) although they are not all connected, having been separated by the subdivision of Section 47 (the recreation reserve). The northern Section 9 and Section 41 also share the same title (NL81/54). These represent the old boundaries shown in Figure 5 from 1906.

By the 1960s and 1970s the campground was in full flight, and summer camping space was at a premium. In the early 1970s, the Nelson Polytechnic (now the Nelson Marlborough Institute of Technology (NMIT)) built several of the existing cabins as part of their 'building department apprentice training' for the NCC.<sup>17</sup>

In the 1980s the campground was leased to the Tahunu Beach Holiday Park, and for 21 years the site was managed by Harold and Diane Gibson. During this time, allowance was



<sup>15</sup> Bell, C W (1978) *Unfinished business: The second fifty years of the Nelson City Council*. Nelson, N.Z. Nelson City Council.

<sup>16</sup> S O 12445. This title indicates that there were several older parcel boundaries in the Reserve that have been modified and/or amalgamated over time.

<sup>17</sup> File G10-03.



made by those managers for semi-permanent accommodation, although there was no Council policy regarding this. The number of semi-permanent occupants peaked in 2014 with 54 residents, occupying approximately 54% of the 100 marked camping sites (down to 25 by early 2015).<sup>18</sup>

Two City Engineer's reports in 1976 reviewed options "on making the Brook Camp a caravan park in the future". The Engineer recommended against the camp being "developed solely as a caravan park" due to a lack of space ("tents can utilise odd spaces and bushed areas inaccessible to caravans"), a concern that trees might need to be removed, a need for additional roading, and that facilities would only be used in peak periods. At the time the camping ground had 30 power points, and the cost of adding more was considered prohibitive. In 1980 a trial of storing caravans during the off-season on site at \$2 per week was recommended by a Council subcommittee.<sup>19</sup>

A filed newspaper article on 1 May 1982, probably the Nelson Mail, noted that there was a 'desperate shortage' of rental accommodation in Nelson and that 'more people than ever before' had sought 'semi-permanent' residence in motor camps:

*At the Brook Reservoir Motor Camp 17 of the 26 cabins are occupied by 'permanents,' according to co-caretaker Mrs Marjon Burridge. There are permanents occupying 25 caravans at the camp and some people are living on a long term basis in tents, she said. The groups include families with school age children and others with tiny tots. But space at the camp is limited and last week Mrs Burridge had to turn away seven caravans. "What the Minister of housing says (about the housing shortage) is a lot of hoo," she said.<sup>20</sup>*

The swimming pool, based within the historic waterworks reservoir (Figure 12), was closed in the late 1990s, at which time it was leaking badly.



<sup>18</sup> The lease to the Brook Waimarama Sanctuary included an area previously used for camping with a reduction in the number of sites available. The current count is approximately 100 sites.

<sup>19</sup> File G10 03

<sup>20</sup> File G10 03

In 2010 the lease to Tahuna Beach Holiday Park expired and an extra five year lease was sought; but due to uncertainty over the future of the site – considering a decline in patronage, aging camp infrastructure, and the adjacent development of the Brook Waimarama Sanctuary – only a one year lease was agreed, and NCC took over day-to-day management of the camp in the 2010/11 financial year. Little investment in, or promotion of, the campground has since been undertaken, pending a decision on the preferred uses of the area.

Existing heritage assets within the Reserve, in addition to those associated with the waterworks, include the 1964 memorial to Charles Kidson, the NCC City Engineer from 1939 until his retirement in 1962. He also died in that year. His memorial wall immediately to the south of the old reservoir contains samples of 26 different types of rock found in the Nelson District. Numerous native trees were also planted within the Reserve as part of the memorial.

A trout hatchling rearing facility has reported anecdotally as having been established by the local acclimatisation society in the late 1800s at the south-west corner of the Reserve. Two large depressions are still evident beside the Fantail Glades, where there is a small causeway. No written information about this activity was located during the preparation of this draft plan, but much reference is available about the trout hatchery in Albion Square. Any relevant information would be welcome during the consultation phase on this draft plan.

#### 4.2.2 1993 Draft Management Plan

A draft management plan for the 'Brook Reservoir Motorcamp' was prepared by NCC in 1993 as part of an omnibus management plan for the then NCC Parks and Recreation Division<sup>21</sup>. The relevant six page chapter applied to a similar land area considered by this management plan, but with the 'primary objective' of managing flooding and erosion threats posed by the Brook Stream. The 1993 draft plan allowed for

- Free public access for general outdoor recreation with an allowance for temporary closures for some areas for parks maintenance, safety or river control work.
- Camping, 'at a charge', with the permission of the lessee (Tahuna Beach Camp Inc.)
- River stabilisation, with "river control measures [taking] precedence over other management and development decisions." The comment was included that, "River stabilisation should be by the planting of mat rooted vegetation on the river banks."
- Flood mitigation, with "all development of the park [to] be located or designed with due attention to the high risk of flooding."
- The maintenance of existing vegetation "in good condition" but that it "may be removed only for reasons of safety or good management." New planting was expected to continue with "an emphasis on the planting of native species to complement the overall character of the area."
- Buildings and other structures to improve the quality of the camping ground, sized and designed to suit the "rural character of the camp".

<sup>21</sup> File G07 04



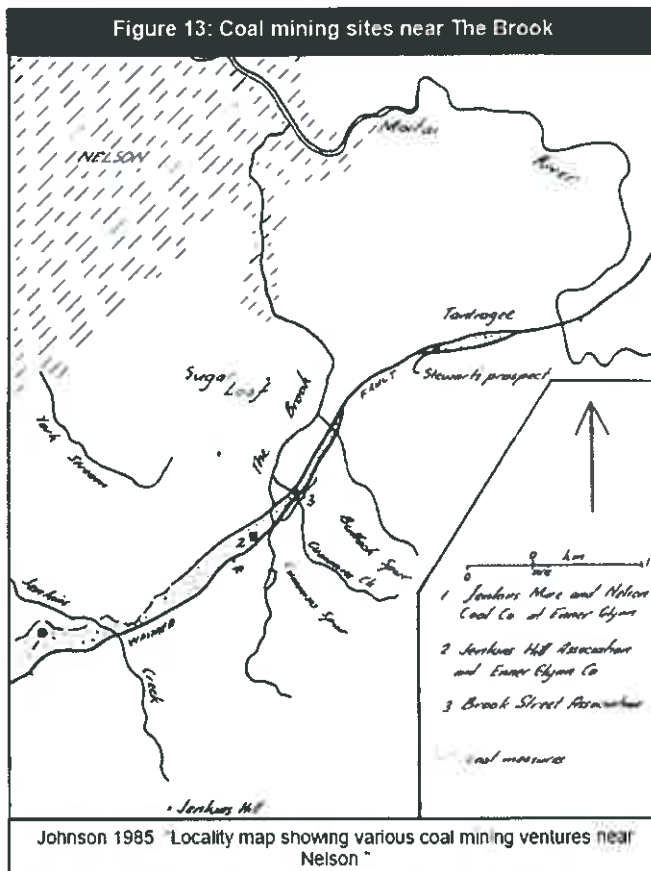
- Motor vehicles on formed roadways and with access to camp sites, at a restricted (but not defined) speed.
- Fires in barbecue pits only, with fire restrictions during dry periods
- A minimum of fences and barriers so as to maintain the "open character of the park"
- A minimum of signs grouped to reduce "visual disruption and the risk of vandalism"
- Undergrounding of new electricity and telephone wires where possible
- No dogs or horses

There is no record of a final version of that draft management plan having been adopted.

#### 4.2.3 Mining in the Brook Valley

Coal mining endeavours in and around the Brook Valley are reviewed by M R Johnston in his 1980 history of the activity in Nelson City.<sup>22</sup> Coal was known in the Brook Valley at least as early as 1853. During 1858 Alfred George Jenkins opened up a coal prospect on his property called Enner Glynn. In 1894, the Brook Street Coal Prospecting Association prospected the east side of The Brook, and about 2.7 tonnes of hard, good quality coal was extracted. Unstable ground and a shortage of capital to develop the mine shafts saw this venture fail.

The Jenkins Hill Prospecting Association was also established in 1894 and found a vertical seam of coal, which reached a thickness of 37.8 metres in places on the west side of 'The Brook'. The mine eventually produced 1337 tonnes of coal but lack of capital and a fire at the mine eventually saw the mine sold in 1895 and no further coal mining was done. Coal was also extracted from shafts sunk in and around Cummins and Bullock Spurs, north of the Reserve. None of these



<sup>22</sup> M R Johnson 1985 Coal Mining Near Nelson City in *Journal of the Nelson and Marlborough Historical Societies*, Volume 1, Issue 5, October 1985. Nelson Historical Society (Inc), Nelson

activities appear to have taken place within the Reserve itself, but were certainly nearby

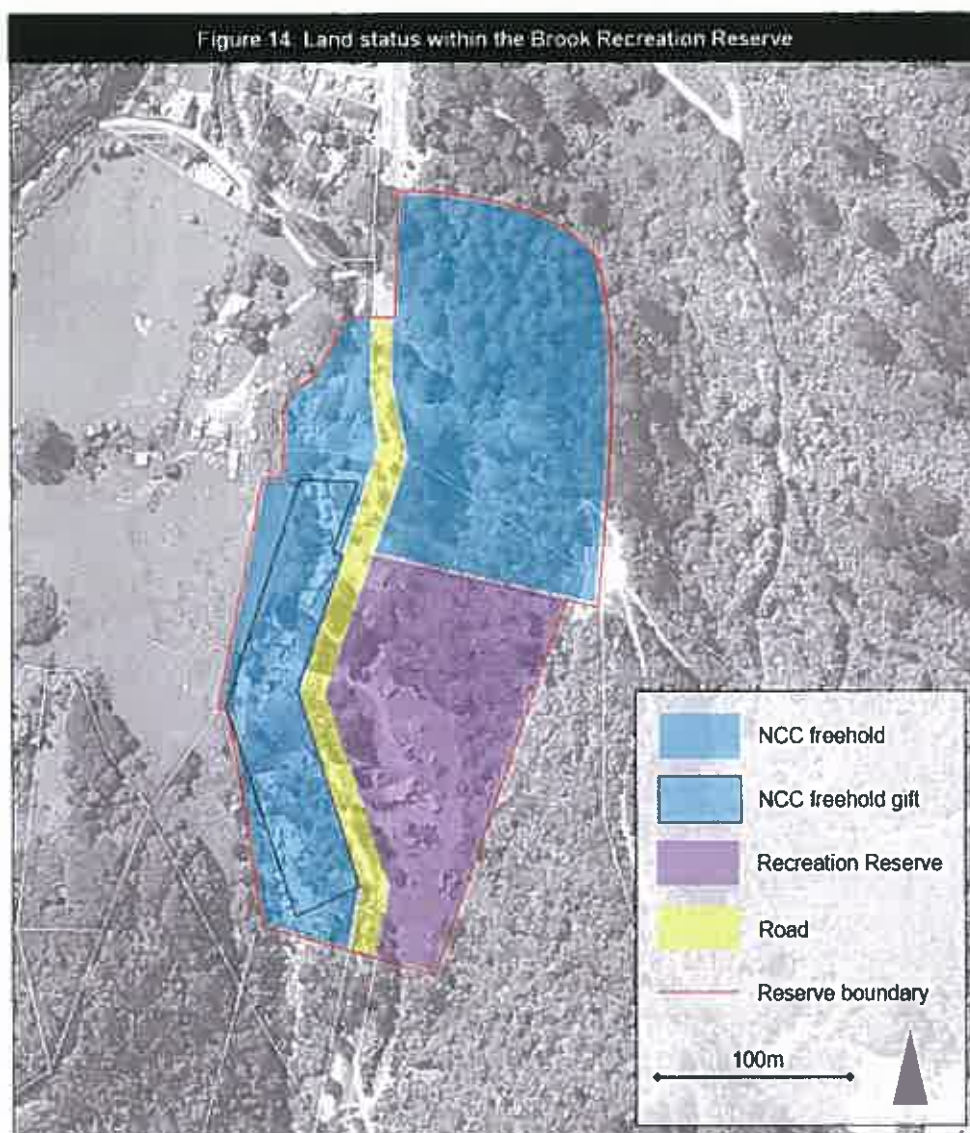
Similarly, mining for chromite and copper by the Dun Mountain Company in the 1850s started north of the Reserve and continued until 1872. The legacy of this activity is the Dun Mountain Trail and other historic artefacts such as Dun Mountain Company Lime Kiln near Wooded Peak. Again, no relevant assets are located in the Reserve.

## 5 Statutory and other obligations for reserve management

### 5.1 Land status

The Brook Recreation Reserve is made up of land with three different legal status (Figure 14)

- Recreation Reserve, administered by NCC under the Reserves Act 1977 (approximately 25,600 m<sup>2</sup>).
- Land held freehold by NCC and administered under, primarily, the Local Government Act 2002 (approximately 57,600 m<sup>2</sup>), including 11,730 m<sup>2</sup> gifted to NCC and according to the Deed of Transfer to "be held for ever as and for Pleasure Grounds or for any other purpose of enjoyment or recreation" (see Section 4.2.1).



- Legal road, administered by the Minister of Transport and NCC according to the Land Transport Act 1998 (approximately 8,580 m<sup>2</sup>). This management plan proposes closing this road, in which case its administration would pass to the NCC as either recreation reserve or freehold title (this draft plan recommends recreation reserve).

This section of this draft management plan considers how these and other legislation and legal obligations affect the control and development of the Brook Recreation Reserve

Title references for the areas included in this management plan are listed in Appendix 1

## 5.2 Local Government Act 2002

Almost two thirds of the Brook Recreation Reserve is freehold land held by NCC and administered according to, primarily, the Local Government Act 2002, and other legislation which applies to specific activities (such as those discussed in other parts of this section) The Local Government Act also has bearing on how Council manages gazetted reserve land under the Reserves Act

The purpose of the Local Government Act is to (Section 3) is to

- state the purpose of local government,
- provide a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them,
- promote the accountability of local authorities to their communities,
- provide for local authorities to play a broad role in meeting the current and future needs of their communities for good quality local infrastructure, local public services, and performance of regulatory functions

The purpose of local government is described as (Section 10)

- (a) to enable democratic local decision-making and action by, and on behalf of, communities, and
- (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses

This draft management plan provides a mechanism for Council to help fulfil its obligations under the Act by supporting a consultation process appropriate to the requirements of the Act, and clearly specifying Council's and the community's preferences for the management of the Brook Recreation Reserve

Section 138 of the Local Government Act defines a 'park' as (138(a)) "land acquired or used principally for community, recreational, environmental, cultural, or spiritual purposes", excluding reserves gazetted under the Reserves Act. This definition ('park') would apply to all land within the Reserve – excluding the recreation reserve and road – and notably that component gifted in 1911 by Charles Fell, William Rout and Ralph Jackson (Lot 49). Section 138 states

- (1) *A local authority proposing to sell or otherwise dispose of a park or part of a park must consult on the proposal before it sells or disposes of, or agrees to sell or dispose of, the park or part of the park*
- (2) *In this section,—*  
*dispose of, in relation to a park, includes the granting of a lease for more than 6 months that has the effect of excluding or substantially interfering with the public's access to the park*

This draft management plan does not propose any sale or other reduction in size of the Reserve, but some long-term leases might occur. It is also recommended to gazette the entire Reserve as recreation reserve under the Reserves Act, in which case Section 138 of the Local Government Act would no longer apply.

### **5.2.1 Local Government Act bylaws**

Council may make bylaws under sections 145, 146 and 149 of the Local Government Act. Bylaws assist Council's management of activities on, for example, reserves, so that they can be used for their intended purpose without exposing the community to hazard, nuisance or activities that may adversely affect people's health, safety or wellbeing. Section 155 of the Act requires that a local authority must, before commencing the process for making a bylaw, determine whether a bylaw is the most appropriate way of addressing the perceived problem.

The NCC *Urban Environments Bylaw 2015* defines a reserve as "Any land which is owned by or under the control of the Council and which is set aside for public enjoyment as a reserve, park, garden or open space. It does not include road reserve." It was prepared in accordance with section 145 of the Local Government Act 2002 (not the Reserves Act) and is not confined in scope to gazetted reserves. The reserve bylaw provisions in part seven of the *Urban Environments Bylaw* control motor vehicle activity, golf, public access and gates. They also require a permit to be granted for a number of activities such as chainsaw use, taking of rocks and minerals, killing of animals including pest animals, and planting, spraying or removal of vegetation. Exemptions apply for authorised officers carrying out activities in reserves, and nothing in the reserves provisions in the bylaw prevent Iwi from carrying out activities in reserves which are provided for in any legislation which enacts Deeds of Settlement between Iwi and the Crown.

Other bylaws, including other bylaw provisions in the *Urban Environments Bylaw*, such as Part Six - Control of Alcohol in Public Places, are also relevant to this management plan and are discussed in relation to specific policies in Sections 7 and 9 of this plan.

### **5.2.2 Roads and the Local Government Act 1974**

Section 319 of the Local Government Act (1974 – some parts of which remain in effect) gives councils a range of general powers over the construction, repair, development and modification of roads. Sections 319 and 342 of this Act allow councils to permanently stop or temporarily close a road, so long as a prescribed process is followed, as set out in Schedule 10 of the Act.

This draft management plan considers the need to stop the road through the Reserve to permit better use of the setting for camping and other public and lease activities. Schedule 10 of the Act requires a formal process of advertising the intent and objectives of stopping a road (that is, to change its legal status from road to some other status, such as reserve or freehold).



land). This draft management plan can set out the objectives for a road stopping, but is not the formal process required under the Act to achieve a stopping. A subsequent consultation and, potentially, a hearing process, would be required.

### 5.2.3 ***Nelson City Council Parks and Reserves and Community Facilities Activity Management Plans 2012-2022***

Activity management plans provide base information for the preparation of Council's Long Term Plan and Annual Plan – which are reporting requirements under the Local Government Act 2002 – as well as to assist in the general management of specific groups of assets and services. Both Activity Management Plans reviewed here are pending adoption by Council.

The purpose of the *Parks and Reserves Activity Management Plan 2012-2022* is to guide and direct NCC in its provision and management of parks and reserves assets and activities to achieve the following objectives (p7):

- To provide open space for the city at a level and quality which meets the needs of the community (by identifying agreed levels of service for parks assets and services),
- To provide parks and reserves in the most cost effective manner and to ensure standards of provision are sustainable over time,
- To assist council in achieving its community outcomes.

The purpose of the *Community Facilities Activity Management Plan 2012-2022* is to guide NCC in its provision and management of community facilities to achieve the following objectives (p9)

- To provide community facilities for the city at a level and of a quality which meets the needs of the community,
- To provide community facilities in the most cost effective manner and to ensure standards of provision are sustainable over time,
- To assist Council in achieving its community outcomes.

'Future work and development projects' for walking and cycling have been identified in the Parks and Reserves Activity Management Plan, as a 'medium' priority (p21). "Further develop 2 hubs for mountain biking in the Brook Valley and Marsden Valley and provide a range of options in those locations." This Plan also identifies continuing investment in riparian planting in the Brook Valley (p75). The Plan notes (p40):

*Feedback for the conservation and landscape reserves has been received through the initial consultation for developing the Conservation and Landscape Reserves Management Plan, Nelson Community Plan and Annual Plan consultation, Nelson Regional Growth Strategy consultation and Heart of Nelson City Centre Strategy consultation. Feedback shows that people*

- *Value the native habitats of the conservation and landscape reserves and are concerned about biodiversity loss. They would like to see an increased investment in habitat restoration and control of pest plants and animals.*

- *Value the green back drop to the city and would like to see this maintained, restored and protected.*
- *Use the reserves for informal recreation such as mountain biking, walking, jogging and enjoyment of the natural environment and would like the reserves to be enhanced for these activities with improved tracks and facilities, particularly in the water catchment reserves*
- *Would like improved information and signs in the reserves*

The Community Facilities Activity Management Plan considers management of the Brook, Maitai and Tahunanui campgrounds, noting for 'future demand' (p46)

*Tourism is a key economic driver in the Nelson region, and the seasonal use of the campgrounds fluctuates with the large influx of tourists during the summer months increasing demand. This is an accepted campground trend that is likely to continue into the future.*

*Accordingly to research undertaken by the Association of Holiday Parks NZ, the number of visitors using holiday parks is increasing, and there is evidence that these visitors stay longer and spend more than other visitors to New Zealand's regions. This research is reflected in the visitor statistics at Tahunanui campground, but not at the Brook and Maitai campgrounds.*

*Nelson is well placed to receive this tourism market and its future increase with four campgrounds, including the three Council-owned ones. Nelson is also one of the most popular holiday park destinations in New Zealand. Tahunanui campground has and continues to be a sought after summer destination for Kiwi and international tourists. In 2010/2011 it had 191,298 visitors.*

*The Brook and the Maitai campgrounds have a lower level of visitor numbers. In the 2010/2011 year the Maitai campground attracted 6,932 visitors, and the Brook 2,603 visitors.*

The Plan notes in relation to financial performance (p48)

*Tahunanui and the Brook campgrounds resulted in a combined \$167,245 being credited to rates in 2009/2010 and this has been steadily growing since 2005. The Maitai campground operating costs were subsidised by rates by \$21,151 in 2009/2010, a figure that has fluctuated between \$10,000 and \$20,000 since 2005.*

These figures pre-dated the management of the Brook campground being taken over by Council.

Under the heading 'key issues' the Plan states (pp48-49)

*The key issues for campgrounds are*

- *The need to ensure all three campgrounds are economically viable, well managed and support increased tourism. Ideally all three campgrounds should result in income being credited to rates. Currently this is only the case for Tahunanui and the Brook campgrounds. However,*

*management of the Brook campground was transferred to Council from June 2010/2011 and this may alter its economic performance.*

- *Future management of the Brook campground is currently uncertain, in part due to the future plans and viability of the adjoining Brook Waimarama Sanctuary. The campground could facilitate compatible activities with the Sanctuary, such as educational camps for school children and other wilderness training opportunities, or the Sanctuary may seek to expand into some of the land used for campground purposes. Given this, only a 3 year lease extension was offered to the then lessee in 2010, and this was declined. The Council is to manage the campground for the next 3 years in anticipation that the Sanctuary would, by that time, have a more certain development plan with secured funding. While the camp assets are aged, they are in good condition, and Council should not undertake any works to change or improve the campground over the next three years until the Sanctuary initiatives are known.*
- *All three campgrounds provide for semi-permanent residents. This is a statutory compliance issue as campground regulations impose a 50 day maximum stay provision. In addition, semi-permanents create costs due to higher levels of service with respect to stormwater and electrical certification requirements. Currently Council has an informal policy of a sinking lid on semi-permanents (when one moves out they are not replaced). However this is not well translated in practice via the lessees and the pricing policy at Tahunanui campground favours long term stays. The Tahunanui Reserve Management Plan 2004 capped permanent resident numbers at the campground. There are some community benefits in accommodating semi-permanent residents at campgrounds, and it can be an affordable or lifestyle choice for some. The issue of semi-permanents needs to be considered in the context of both Community Housing and permanent residents at the marina, and the risks associated with those activities.*

Priorities for future work included (p18 and p51)

- *Review funding policy and include Maitai and Brook Campgrounds*
- *Opportunities to enhance niche levels of service to be assessed by joint Council/lessee working group across all three campgrounds including how to level out seasonal demand and enhance profitability of Maitai and the Brook campgrounds in particular*
- *Ensure lessee/camp maintenance schedules match up with condition assessments*
- *Review statutory compliance issues associated with long-stay residents and structures*



### 5.3 Reserves Act 1977

Just over a quarter of the Brook Recreation Reserve is within parcel *Section 47 Brook Street and Maitai Survey District*, which is gazetted as Recreation Reserve under the Reserves Act 1977 (Deeds Index 8/122).

Section 17(1) of the Reserves Act defines the primary purposes of recreation reserves

- providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and
- for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.

The Act requires, in relation to recreation reserves, that

- The public has freedom of entry and access, unless all or parts of the reserve are set aside for specific uses via a lease or other management arrangements considered necessary by the administering authority (Sections 17, 53 and 54);
- That where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, they shall be managed and protected to an extent compatible with the primary purpose of the reserve;
- Those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved; and
- To the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.

In June 2013 the Minister of Conservation delegated authority to local government to approve leases, management plans and other uses of reserves, where the activity is consistent with the purposes of the reserve and other requirements of the Reserves Act, including consultation processes. This places Council in the dual position of being both the administering authority of the reserve, as well as the delegate of the Minister for authorising reserve uses under the Reserves Act. Council must separate its reserve management planning, administration and development roles from those of decision-maker under that delegation.

#### 5.3.1 Reserve management plans

Section 41 of the Reserves Act requires that Council prepare a management plan for every reserve under its control. Management plans identify the objectives of reserve management, define which activities can be carried out on the reserve as of right, activities for which approval is required and activities which are prohibited.

The purpose of a reserve management plan is to 'provide for and ensure the use, enjoyment, maintenance, protection, and preservation of the reserve, and, to the extent that the administering body's resources permit, the development, as appropriate, of the reserve for the purposes for which it is classified' (41(3)). The administering body of a reserve must 'comply with the management plan for the reserve and any amendment thereof', in the exercise of its

functions' (41(11)) The process of preparing a management plan under the Act is described in Section 2 of this document. A draft management plan prepared in 1993 for the Brook Reservoir Motor Camp is described in Section 4.2.2 of this plan.

### **5.3.2 Leases on reserves**

Council has the ability to lease all or parts of a recreation reserve, pursuant to Section 54 and Schedule 1 of the Reserves Act, for a wide variety of activities, so long as they give effect to the purpose of the reserve as defined in Section 17 of the Act (summarised above). This includes leases to 'any person, body, voluntary organisation, or society (whether incorporated or not)' for buildings and structures 'associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities', as well as to 'any trade, business or occupation', 'provided that the trade, business, or occupation must be necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve' (54(1)).

As stated above, in 2013 the Minister of Conservation delegated authority to local government to approve leases and other uses of reserves, where the activity is consistent with the purposes of the reserve and other requirements of the Reserves Act. Administering bodies for reserves, other than local government, require approval from Council for leases, but are not required to publicly notify the application if it is in accord with a reserve management plan or resource consent (54(2A)).

### **5.3.3 Accommodation on reserves**

Section 44 of the Reserves Act defines unauthorised uses of reserves in relation to temporary or permanent occupation. This describes the requirement for authorisation by Council<sup>23</sup> for the use of a reserve 'for purposes of personal accommodation, of any reserve or any building, vehicle, boat, caravan, tent, or structure situate on any reserve' (44(1)). Section 44(2) notes that, without authorisation, 'the owner of any vehicle, caravan, tent, or removable structure shall not permit it to remain on a reserve for a total period of more than 4 weeks during the period commencing on 1 November in any year and ending with 31 March'.

### **5.3.4 Reserves Act bylaws**

Council may make bylaws for reserve land under its control under Section 106 of the Reserves Act. This allows, for example, the ability to ensure compliance with specific elements of a management plan via prosecution. These bylaws must be approved by the Minister of Conservation (108). This authorisation has not been delegated to local government. The Council has not prepared any bylaws under the Reserves Act but applies the reserve bylaw provisions in the Urban Environments Bylaw 2015, prepared under the Local Government Act 2002, to all its defined reserves (see Section 5.2.1).

## **5.4 Camping-Grounds Regulations 1985**

The Camping Grounds Regulations 1985 is a legislative instrument to manage the use of camping grounds and to ensure compliance with the Health (Registration of Premises) Regulations 1966, and were prepared to comply with section 120B of the Health Act 1956. The Camping Grounds Regulations require that any area used as a camping ground must

<sup>23</sup> Prior to June 2013, authorisation was required by the Minister of Conservation.

have a certificate of registration issued by the relevant local authority (Nelson City Council in this case), and must comply with a number of level-of-service and supply standards (for example, the quality and quantity of toilets and kitchens, and the frequency of cleaning, and emptying of rubbish bins)

The Brook camping ground is registered under the Regulations, as is required, but does not currently comply. The Regulations limit the use of camping grounds to 'temporary living places', as well as 'relocatable homes' within a defined 'relocatable home park'. A relocatable home park must be defined on the camping ground camp plan (part of the registration certificate). The relocatable homes must be within that area, completely separated from camp sites, and 'serviced with reticulated sewerage, storm water drainage, and a reticulated water supply' (11(4)). Otherwise, all accommodation within a campground is limited to 'temporary living places', which are 'a cabin, caravan, vehicle, tent, or other building or structure intended for human habitation for periods not exceeding 50 days in any continuous term of occupancy' (2). There is no provision in the Brook camping ground registration for a 'relocatable home park' and therefore all visitor occupation is limited to the maximum of 50 days.

However, existing residential campers within the Reserve are provided with individual grey-water gully traps, water connections (via taps) and have minimal requirements for the management of stormwater. Some areas, such as Fantail Glade, are effectively visually separated from the campground generally, and are provided with communal toilets and showers. As NCC is the approval agency for the Camping Ground Regulations, it is a local decision as to whether this level of service meets the requirements of a 'relocatable home park'; notwithstanding potential non-compliance with other statutes and the Nelson Resource Management Plan (discussed below).

#### 5.5 Building Act 2004

The Building Act 2004 applies to 'temporary or permanent movable structures' (8(1)(a)) and requires adherence to defined construction standards. The Act does not apply to a 'vehicle', as defined in section 2 of the Land Transport Act 1998, being 'a contrivance equipped with wheels — on which it moves or is moved'. The distinction between these two devices (a moveable structure and a vehicle) and the concept of occupation has been tested in law, and the Ministry of Business Innovation and Employment offers the following distinction:

- *a vehicle such as a caravan can properly be described as 'immovable' if it is either*
  - *no longer supported solely by its wheels, or*
  - *attached to the ground or to utility services and the like*
- *permanent occupancy is when there is an intention that the occupancy will be for an indefinite period, which could in the event be comparatively short*
- *long term occupancy is when the occupancy will be for a definite period that can properly be described as 'long' in the particular circumstances*<sup>24</sup>

This implies that all forms of accommodation relied on by residential campers at the Reserve would normally be subject to compliance with the Building Act. However, the Camping Grounds Regulations 1985 notes that while "the owner of a relocatable home situated in a

<sup>24</sup> <http://www.dbh.govt.nz/codewords/15-article/9>

relocatable home park shall ensure that it complies with the requirements of the Building Regulations 1992" (regulation 13), the local authority can issue a certificate of exemption under the Regulations.

*14 (2) Where a local authority is satisfied that undue hardship would be caused by the application of regulation 13 to any relocatable home, it may grant the owner a certificate of exemption from such requirements of that regulation as it specifies in that certificate...*

*(4) A certificate of exemption granted under subclause (2) shall have effect for such period as the local authority specifies in that certificate, and may be renewed from time to time, but may not be transferred from the operator, or owner or occupier of a relocatable home, to the succeeding operator, or owner or occupier.*

There have been no certificates of exemption issued to any form of 'relocatable' camping accommodation in the Reserve.

#### **5.6 Residential Tenancies Act 1986**

The Residential Tenancies Act outlines the rights and responsibilities of landlords and tenants. The Act provides a dispute resolution service by allowing for mediation, and hearings at the Tenancy Tribunal.<sup>25</sup> The Act is explicit in its not applying to camping grounds.

*5 Act excluded in certain cases*

*(1) This Act shall not apply in the following cases:*

*(ta) where the tenant occupies, under a tenancy agreement, a cabin, caravan, vehicle, tent, or other building or structure that—*

*(i) is located in a camping ground subject to regulations under the Health Act 1956, and*

*(ii) is intended for human habitation for periods not exceeding 50 days in any continuous term of occupancy*

This means that there is no obligation on the part of the provider of a registered camping ground to provide security of tenure for any camp user, whether they be short or long term, or within a relocatable home park. For example, tenancy bonds are not required and there is no minimum termination period for a tenancy. Essentially, camp users have no property or tenancy rights under this or any other Act.

Severinson (2009)<sup>26</sup> describes this status under tenancy law as a dilemma, with both positive and adverse effects (p129 and 131, and not in reference to the Reserve).

*Where mainstream renting is becoming an increasingly complex transaction, moving into the camping ground did not require high costs, for example, bond payments*

<sup>25</sup> For a précis of the Act's requirements see <http://www.dbh.govt.nz/residential-tenancies-act>

<sup>26</sup> Severinsen, C. 2009 *Marginally Grounded – Camping Ground Residence In New Zealand*. A thesis submitted for the degree of Doctor of Philosophy Department of Public Health Wellington School of Medicine and Health Sciences University of Otago, New Zealand

*...a lack of coverage by the Residential Tenancies Act has positive aspects, and that both owners and residents prefer not to have a formal tenancy agreement. Despite these ideas that the minimal commitments and obligations suited camping ground residents and that this may be seen as a beneficial characteristic of camping ground residence, it does also create situations where there is an imbalance of power and this seriously affects the ability of residents to feel secure in their housing.*

### 5.7 Resource Management Act 1991

Nelson City Council is a unitary authority with combined regional and district council functions under the Resource Management Act. The Nelson Regional Policy Statement 1997 and the Nelson Resource Management Plan (NRMP) are key documents prepared by Council in accordance with the Act to help achieve the integrated and sustainable management of natural and physical resources.

The Nelson Regional Policy Statement sets out how Council will achieve integrated management of the significant resource management issues of the area under the headings of Treaty of Waitangi, Development and Hazards, Natural and Amenity Values, The Coast, Water, Soils, Discharges to Air, Energy, Waste Management, Infrastructure, and Resource Monitoring. The activities of Council must be in accordance with the Nelson Regional Policy Statement. The Nelson Regional Policy Statement is given effect through a range of methods, one of which is the NRMP.

The NRMP defines three planning zones within the Reserve (Residential, Rural, and Open Space and Recreation) and schedules much of it as a camping ground (the area zoned Open Space and Recreation; the blue area in Figure 15). These zones and the relevant rules define what activities are permitted within the Reserve and what must be provided for in consent applications for other activities.

The area zoned Residential is a minor component of the Reserve on the true left bank of the Brook Stream. As there is no development capacity in this area, and none proposed in this management plan, the objectives and rules of this zone are not considered further.

The Rural Zone has three resource management objectives under the NRMP (ch12):

- Protect resources and capacities: Land used in a manner which will protect the life-supporting capacity, versatility and availability of land, soil, rock, aggregate, other natural resources, and ecosystems. Management must therefore be in a responsible manner which will sustain the potential of resources to meet the reasonably foreseeable needs of future generations.
- Rural character: Maintenance or enhancement of an environment dominated by open space and natural features.
- Protection of amenity: Recognise and maintain the local rural amenity experienced within the Rural Zone including the local noise environment.

The Open Space and Recreation Zone has two resource management objectives under the NRMP (ch11):

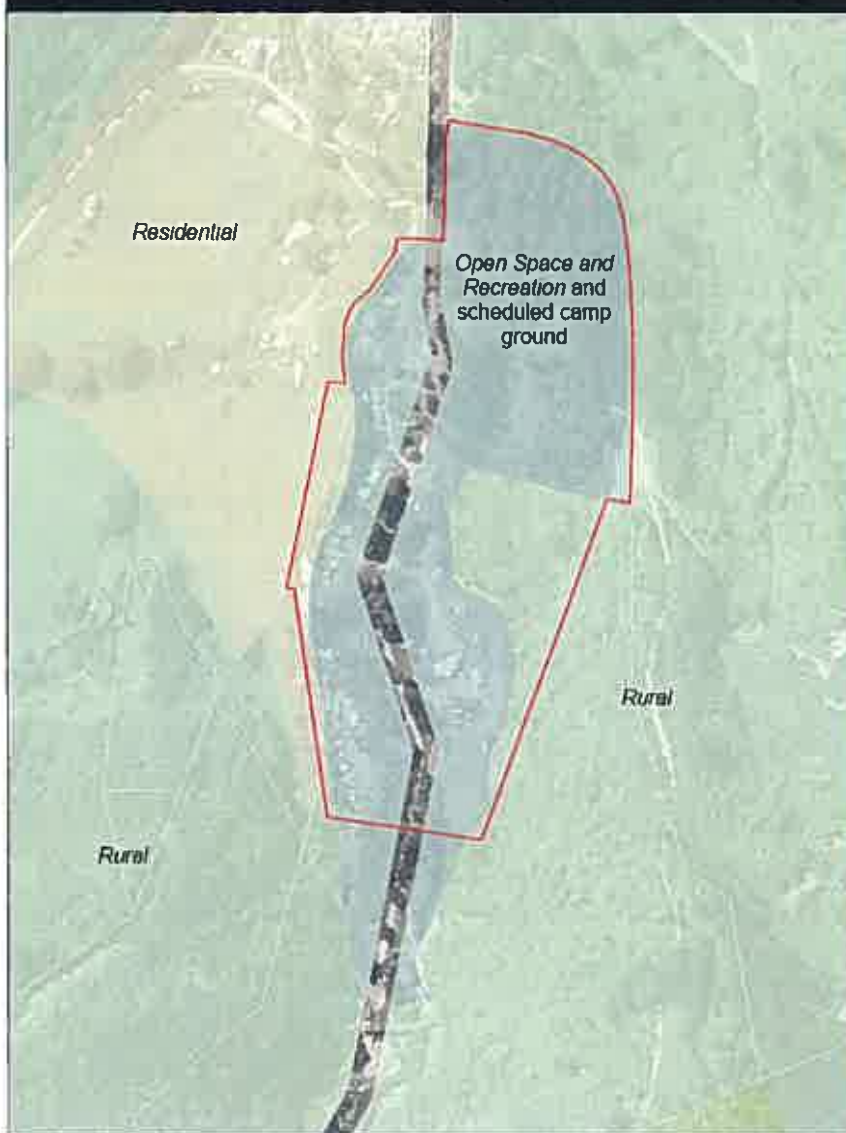


- Present uses: Maintaining the social well-being and health of the community by recognising and enhancing opportunities for use of open space and recreation land
- Future uses: Retain the opportunity to provide for changing community needs and aspirations

The NRMP also indicates that the Reserve is subject to various 'overlays', each of which provide rules to control effects of potential uses and activities on the site. These include:

- the Fault Hazard Overlay, which affects building and subdivision activities;
- the Riparian Overlay, which protects indigenous vegetation and controls the disturbance of riverbanks. The riparian values within this overlay within the

Figure 15: NRMP zones, camp ground schedule area and Reserve boundary



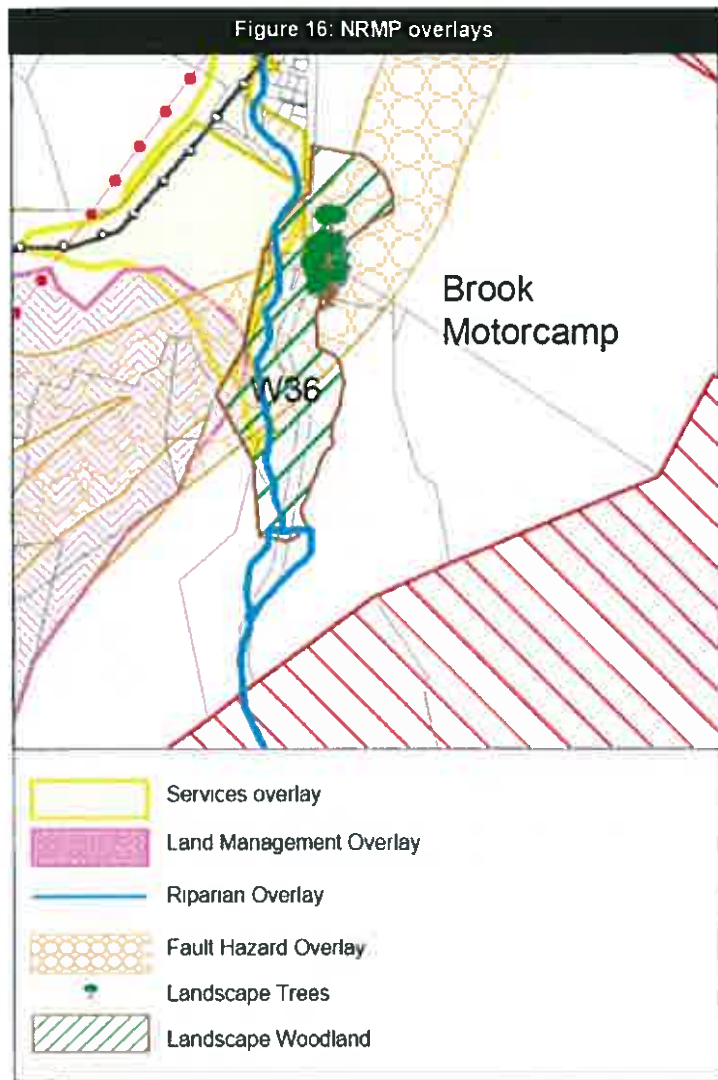
Reserve are identified as (Table 6.1) Conservation (aquatic habitat and water quality) priority 1 and 2 (see below), Access where urban development occurs; and Hazard mitigation (flood capacity)

- the table of Flood Paths, which controls development activities to minimise risks associated with flooding. This includes a 30m wide flood path shown as a Riparian Overlay on the Brook Stream as it passes through the Reserve,
- a Landscape Woodland (W36) The contents of this woodland are not defined, but its boundaries are indicated, and differ from the Open Space and Recreation Zone boundary;
- and a number of specified and protected landscape trees (18 Californian redwood (sequoia) and a deodar cedar)

Conservation priority 1 and 2 values apply where a waterway offers, amongst other things (AP6.1) trout fishing, swimming, walking, passive recreation, kayaking and other boating; identified wildlife corridors, significant native riparian vegetation, water quality being managed for fishery and contact recreation purposes, native fish habitat.

The overlays have specific rules which trigger consents for different activities, and control the location and type of activities able to be established

Open Space and Recreation Zone Schedule OSs 7 in the NRMP lists the activities that are able to be undertaken as permitted activities in the 'Brook Reservoir Motor Camp' (the blue area in Figure 15) subject to compliance with the remainder of the Open Space and Recreation Zone rule table. Notably, this does not include permanent or semi permanent accommodation options. Ratifying this land use would need a resource consent (likely



to require public notification) or a change to the NRMP (a plan change), as would any other activity that was not listed or identified in a reserve management plan for the area of gazetted recreation reserve, or did not comply with the remaining provisions of the Open Space and Recreation Zone schedule or rule table.

Permitted activities listed in Schedule OSs 7 are (subject to compliance with the general rules, including those relating to the overlays):

- 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

The NRMP also defines a Structure Plan for the Rural Zone to the west of the Reserve (Schedule W). This identifies an 'indicative road' from near the end of Brook Street to Bishopdale and a Biodiversity Corridor leading from Brook Street to Enner Glynn Road (Figure 17). The structure plan notes (p12-94)

*In addition to the Indicative Walkways shown in other locations on the Structure Plan a walkway/cycleway connection shall be provided for between Brook / Enner Glynn Saddle and Brook Street. No indicative route is shown.*

A Biodiversity Corridor is defined in the NRMP as (p2-3)

*a vegetated corridor of a minimum width of 20m that allows for the flow of indigenous organisms and biological resources along the corridor, for biological processes within the corridor, and connectivity between areas of ecological value.*

The timing for the development of the indicative road and walkway/cycleway is not defined and would depend on the subdivision activities of relevant private landowners.





**5.7.1 Te Tau Ihu Statutory Acknowledgement**

A Statutory Acknowledgement is a type of cultural redress frequently included in Treaty settlements between the Crown and a Maori claimant group. Statutory Acknowledgements are usually provided over Crown owned portions of land or geographic features (such as lakes, rivers, wetlands, mountains or coastal marine areas). With respect to bodies of water such as lakes, rivers, and wetlands, the Statutory Acknowledgement excludes any part of the bed not owned or controlled by the Crown. The Te Tau Ihu Statutory Acknowledgements 2014 are to be read as an attachment to the Nelson Regional Policy Statement, the Nelson Air Quality Plan and the NRMP.

The Brook Stream and the Brook Recreation Reserve are located within the Treaty Settlement Area defined by the Maitai (Mahitahi) River and its tributaries. This area has Statutory Acknowledgement for

- Ngāti Tama ki Te Tau Ihu
- Te Ahiawa o Te Waka-a-Mauī
- Ngāti Toa Rangitira
- Ngāti Koata
- Ngāti Rarua
- Ngāti Kuia
- Rangitane o Wairau

All but the final two iwi listed have Deeds of Recognition associated with their Acknowledgement

The text describing the iwi association has been used in the preparation of Section 4.1 of this management plan (Maori history), and the relevant iwi were advised of the preparation of this draft plan and invited to a consultation meeting

#### 5.8 Climate Change Response Act 2002

The Climate Change Response Act 2002 sets out a means by which New Zealand can meet its international obligations under the United Nations Framework Convention on Climate Change and the Kyoto Protocol, and provides for the implementation, operation, and administration of a national greenhouse gas emissions trading scheme

The Act is relevant to this management plan because Lots 53 and 2 as shown in Figure 6 on page 18, have notices on their titles 'pursuant to Section 195(2)' of the Act dating from December 2011. This means that the Nelson City Council, as an account holder on the NZ Emission Unit Register, has been allocated 'pre-1990 forest land'<sup>27</sup> carbon credits for the 'forests' on those properties. This does not restrict Council from managing the trees in any particular way, but does indicate that the trees on those properties have a recognised role in carbon sequestration, and that an accounting exercise via the NZ Emission Unit Register would need to be completed if the trees were felled and not replanted

<sup>27</sup> Pre-1990 forest, was forest land on 31 December 1989, remained as forest land on 31 December 2007, and was predominantly exotic forest species on 31 December 2007. Under the ETS, forest land is an area of at least one hectare of forest species that has, or is likely to have, tree crown cover of more than 30% on each hectare; and an average tree crown cover width of at least 30 metres. Forest species are trees capable of reaching five metres in height in the place they are growing. This does not include trees grown for the production of fruit or nuts. See <http://archive.mpi.govt.nz/forestry/forestry-in-the-ets/pre-1990-forest>

## 5.9 Other Plans and Policies

### 5.9.1 Nelson 2060

Nelson 2060 is the city's sustainability strategy adopted in 2013. It is based on extensive community input and external review and focuses on developing a healthy, prosperous and happy Nelson over the next fifty years. The strategy states a vision for Nelson:

*Nelson 2060 is an inclusive city, with a diverse range of residents who can connect easily to each other and to the beautiful place we call home. Our inclusive leadership style supports our unique approach to living, which is boldly creative, ecologically exemplary, socially balanced and economically prosperous.*

Ten goals are identified:

- 1) We support and encourage leaders across our community
- 2) We are all able to be involved in decisions
- 3) Our natural environment - air, land, rivers and sea - is protected and healthy
- 4) We produce more of our own food
- 5) We are able to rapidly adapt to change
- 6) We move from using fossil fuels to renewable energy sources
- 7) Our economy thrives and contributes to a vibrant and sustainable Nelson
- 8) Nelson is a centre of learning and practice in Kaitiaki and sustainable development
- 9) Everyone in our community has their essential needs met
- 10) We reduce our consumption so that resources are shared more fairly

### 5.9.2 Nelson Biodiversity Strategy 2007

The Nelson Biodiversity Strategy describes a vision for biodiversity management in Nelson City based on eight principles. The vision is:

*Our vision is that Nelson is celebrated as the gateway to a region richly endowed with natural places that teem with native plants and animals. The mauri (life force) and wairua (spirit) of ecosystems and species of significance to tangata whenua, and to the community as a whole, are protected and enhanced. Nature is accessible in and around the city. Tangata whenua customary use of nga taonga tuku iho (the treasured resources) is a recognised and accepted part of the wider integrated management of biological diversity in Whakatū. Valued exotic species thrive in appropriate places, and pest and weeds are controlled and/or eradicated.*

This non-statutory strategy has two broad goals, each with two objectives:

- Goal 1 Active protection of native biodiversity

- Objective 1.1 – ecological health, mauri and wairua of natural ecosystems are sustained
- Objective 1.2 – native biological diversity is restored, enhanced and, where appropriate, connected.
- Goal 2 Ecologically sustainable use of biodiversity
  - Objective 2.1 – biodiversity use is ecologically sustainable
  - Objective 2.2 – biodiversity resources are available for the community to prosper including tāngata whenua customary use of nga taonga tuku iho

The strategy is based on aligned action by agencies, and the Nelson Biodiversity Forum has been tasked with implementing it. Biodiversity Action Plans have been developed and adopted by partners to the strategy for freshwater, coastal marine and terrestrial environments.

It is intended that the strategy will be considered whenever Council policies are developed, implemented and reviewed.

### **5.9.3 Nelson Tasman Regional Pest Management Strategy 2012-2017**

The Tasman-Nelson Regional Pest Management Strategy has been prepared under the Biosecurity Act 1993. This strategy is a joint strategy between Tasman District Council and Nelson City Council, and is implemented by Tasman District Council. The strategy declares certain plant and animal species as pests. These pests (listed in Table 1 of the strategy) are banned from sale, propagation, breeding, distribution and commercial display. The Strategy aims to avoid or reduce the incidence of adverse effects of pests on the environment, assist with the protection of significant biodiversity values and to protect amenity and recreational values of the region. The strategy requires land occupiers to undertake control and management of plant pests on land for which they are responsible. Council, as occupier, is required to control pests on land it owns and administers in accordance with Part II of the strategy (pest management programmes).

## 6 Consultation summary

Consultation for this draft management plan has included:

- Meeting with camp residents to explain the management plan process prior to public notification – 21 November 2014,
- Public notice of intention to prepare the management plan seeking suggestions by post or email – Nelson Mail, 24 November 2014,
- NCC webpage with information about the management plan process with map, promoting the opportunity to make general comments via email – live from 24 November 2014,
- Media release about plan preparation – distributed locally, 25 November 2014
- Opinion piece by Mayor Rachel Reece in Nelson Leader (community newspaper) – 4 December 2014,
- Consultation with camp residents regarding values to be managed for within the Reserve – 6 December 2014,
- Article in Live Nelson (distributed throughout Nelson) – 10 December 2014 (Figure 18),
- Meeting with local iwi coordinated by Geoff Mullen (NCC Kaihautū) – 30 January 2014,
- Letters to approximately 700 residents in the Brook area about upcoming public meeting – 9 February 2015,

Figure 18: Live Nelson article, 10 December 2014

### Figure 18: Live Nelson article, 10 December 2014

## Suggestions called for Brook Recreation Reserve

Nelson City Council is beginning the process of preparing a management plan, which will define the activities that can take place within the Brook Recreation Reserve.

This Council-owned land includes the Brook Motor Camp, but does not include the reserve area currently leased to the Brook Waimarama Sanctuary Trust for a fenced wildlife sanctuary.


Council is seeking written suggestions from the public about how the reserve should be used in the future, what needs protection on the site and how the setting could best serve both Nelsonians and visitors to the region.

This information will help guide the development of a draft Brook Recreation Reserve Management Plan, which the public can provide further comment on next year.

Mayor Rachel Reece says the management plan will outline the community's wishes for how the area is managed in the future.

"The aim is to take a broad view of the Brook Recreation Reserve, taking into account the interests of different stakeholders for the activities that could take place within the reserve.

"We think developing a management plan is the most efficient and effective way



Map showing the area covered by the draft Brook Recreation Reserve Management Plan

to provide for the needs of the community, I encourage everyone interested in this recreation reserve to tell us what their vision is for this area through this initial consultation process."


Council is seeking written suggestions on the proposed plan until Friday 16 January 2015 at 5pm.

People are invited to make written suggestions by emailing: [submissions@nelson.govt.nz](mailto:submissions@nelson.govt.nz) with Brook Recreation Reserve Management Plan in the subject line, or by post to: Nelson City Council, Admin Support, PO Box 645, Nelson 7040. Please note, no specific format is required for these initial suggestions.

Council will also hold public meetings in early February next year to gather further feedback, before the draft management plan is prepared. The public will then be asked to provide submissions on the draft plan through a two month consultation phase.

A panel will hear verbal submissions before making recommendations on the final content to Council.

The draft Brook Recreation Reserve Management Plan is due to go before Council for final approval in June 2015.



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- Media release about upcoming public meeting – distributed locally, 12 February 2015,
- Nelson Leader article – 12 February 2015,
- Meeting with camp residents to provide an update on progress – 13 February 2015,
- Public notice in Nelson Mail about upcoming public meeting – 14 February 2015,
- Nelson Mail article about upcoming public meeting – 14 February 2015,
- Public meeting held (50 attendees, including approximately 12 NCC staff and councillors) – 17 February 2015,
- Nelson Mail article following public meeting "Strong support for Brook Valley campground" – 18 February 2015

A series of news articles in the Nelson Mail regarding camp management, the 2014 proposed closure, the closure reprieve and the management plan process, as well as letters to the editor, appeared from mid-2014 onwards.

Meetings and phone discussions were also held with

- Nelson Mountain Bike Club, Paul Jennings,
- Brook Waimarama Sanctuary, Hudson Dodd,
- Nelson Cycle Lift Society, Jo Rainey,
- Nelson Marlborough Institute of Technology, Martin Mongan,
- Department of Conservation, Lionel Solley,
- Eureka Park, Gail Collingwood,
- Maitai Valley Motor Camp, Carol Wood,
- Nelson City Council staff members Chris Ward, Lindsay Barber, Gary Alsop, Peter Grundy, Geoff Mullen, Lisa Gibellini, Paul Harrington, Reuben Peterson and Richard Frizzel and acting camping ground manager Rachel Whitehead

Twenty eight people provided written "suggestions" to Council following the public advertisement of the intent to prepare this plan. Most were from individuals, but included responses from the Department of Conservation, Nelson Marlborough Institute of Technology (NMIT) and the Brook Waimarama Sanctuary. A further 15 people provided written comments on forms made available at the public meeting held on 17 February 2015. Several of these were from the same people who had responded earlier. Key themes from these suggestions were (in no particular order)

- Maintain provision for camping within the Reserve, noting that it would be a unique association with a wildlife sanctuary in New Zealand, provide economic benefit to the region and provide an alternative for freedom campers who occupy the city centre,
- Maintain provision for long-term accommodation.

- Upgrade the camping facilities to 'four star' standard, make the site more welcoming and a more effective tourism asset for Nelson,
- Maintain camp sites as 'basic DOC-style',
- Support the work and activities of the Brook Waimarama Sanctuary by ensuring good access and traffic flow, a high quality recreation setting, pest animal and plant control, and a range of other complementary developments,
- Maintain the site as relatively undeveloped and 'natural',
- Limit commercial activities on site to only camping,
- Protect, maintain and enhance the Brook Stream,
- Include provision for local day-use of the site and provide better casual access to the Brook Stream and other park-style picnic facilities,
- Formally protect the freehold land within the Reserve to provide certainty of purpose via gazettal as recreation reserve under the Reserves Act,
- Develop the Eureka Park concept on the Reserve to honour Nelson's sister city relationship with Eureka,
- Support a wide range of outdoor activities, including biking, walking, tramping and nature appreciation, noting that the region is well provisioned for beach activities and accessible bush or mountain activities are now in demand,
- Support and opposition for providing for a cycle lift – a gondola – and other associated services and facilities within the Reserve,
- Support and opposition for relocating the Brook Conservation Education Centre to within the Reserve (administered by NMIT and providing ranger training for the Department of Conservation),
- Concern over adverse traffic effects on Brook Valley residents if additional development occurs within the Reserve, such as an education facility and a gondola,
- Support activities and events complementary to the Waimarama Community Organic Gardens,
- Ensure any future public road developments in the area do not adversely affect the amenity of the Reserve

Concern was also raised about the legality of preparing a single management plan for an area with land administered as recreation reserve under the Reserves Act as well as freehold land administered under the Local Government Act. There was also interest in having the Reserve fully gazetted as recreation reserve prior to preparing the management plan, potentially to restrict opportunities to base additional commercial activities on the site. Statutory issues are considered in Sections 2 and 5 of this draft plan. Council opted to not gazette the Reserve until such a decision is supported by the findings of this management plan; noting that the leasing provisions within the Reserves Act allow for commercial leases where they support the primary purposes of a reserve, and that this could include a wide range of recreation and tourism services that could equally be provided for on freehold land.



## 7 Issues and options

This section of the draft management plan discusses the various management issues facing the Brook Recreation Reserve that have been identified via consultation, pre-existing planning documents (such as the *NCC Community Facilities Activity Management Plan 2012-2022*) and review of relevant legislation and policy. Options for the treatment of each issue are identified.

In the following section, two Visions for the development of the Reserve are outlined, using options from each discussion point in this section. In the final version of this plan, only one of these Visions – or an amalgam of both – will be retained for implementation.

### 7.1 Camping and residential camping

*Many of the permanent residents have difficulty fitting into a more conventional suburban lifestyle. We happily live in a more simple way and, in doing so, are a lower drain on the community's (and the earth's) resources than most people are. Most residents like living here, as opposed to being here reluctantly, as often occurs in those campgrounds surrounding large cities.*

Bob Lynch suggestion

#### 7.1.1 Issue

The Brook Recreation Reserve has included a camping ground since the mid 1920s, and has until recently been actively promoted as such. The *NCC Community Facilities Activity Management Plan 2012-2022* noted (p49)

*Future management of the Brook campground is currently uncertain, in part due to the future plans and viability of the adjoining Brook Waimarama Sanctuary. The campground could facilitate compatible activities with the Sanctuary, such as educational camps for school children and other wilderness training opportunities, or the Sanctuary may seek to expand into some of the land used for campground purposes. Given this, only a 3 year lease extension was offered to the then lessee in 2010, and this was declined. The Council is to manage the campground for the next 3 years in anticipation that the Sanctuary would, by that time, have a more certain development plan with secured funding. While the camp assets are aged, they are in good condition, and Council should not undertake any works to change or improve the campground over the next three years until the Sanctuary initiatives are known.*

Council sought to close the campground in 2014 when apparent issues were identified with cost, long-term site management uncertainty and non-compliance with various planning rules and regulations. This decision was later reversed when strong interest was expressed by community members to retain the camp, and the need for the development of this management plan was identified.

An Opus asset assessment for the camp facilities has identified approximately \$1.27 million in asset renewal costs up to 2026. A valuation identified a \$1.74 reinstatement estimate for camp assets, an existing asset value of \$955,000, and a demolition estimate of \$80,000.

The majority of the camp income currently comes from residential campers. In 2001, the camp had 13,400 person nights, but only 5,400 in 2005. Camp records indicate a peak of 54 long-term campers in early 2014, although data collection has not been consistent over the years. The camp has 100 marked sites, so long-term occupation would have accounted for up to 54% of all sites in late 2014. As at early 2015, 25 long-termers remain. Several have been on-site for more than 10 years continuously, others have stayed periodically over a 25-year period. Most others have been in occupation for less than three years. At least one has paid a premium to a private individual when purchasing their caravan on-site, assuming some transfer of property rights.

Consultation indicated an interest in the camping area providing a cheap alternative destination for freedom campers who currently occupy space within the central city. This option is provided by the Maitai Valley Motor Camp which provides affordable campsites as a requirement of its lease (\$8 per night as at early 2015). The Nelson City Holiday Park also offers relatively cheap camping options close to the city centre. It will be important for camping provisions within the Reserve to complement those offered by the Maitai and Nelson City options, as well as the Tahuna Beach Holiday Park, and to not work in direct competition. The Reserve has the potential to accommodate those seeking a boutique 'bush' and educational experience associated with the Brook Waimarama Sanctuary (which the Brook Waimarama Sanctuary Trust describes as a unique opportunity in New Zealand for a wildlife sanctuary), as well as cyclists and walkers attracted by the various tracks within and around the Sanctuary, and those leading to and beyond Fringed Hill. A gondola or other tourism or commercial recreation development could be a significant added attraction for that camping market. The Maitai Valley Motor Camp is also pet-friendly, and considering the Reserve's proximity to the Brook Waimarama Sanctuary, there is no need to compete with the motor camp by providing for pets. These opportunities create the potential for the Brook Recreation Reserve to offer a well-differentiated camping product.

An abundance of planning rules and regulations apply to long-term camping options in camp grounds, including at the Reserve:

- The Camping-Ground Regulations 1985 (see Section 5.4). These limit the maximum period of stay within a registered camping-ground (which the Brook Reserve is) to no more than 50 days, unless a form of relocatable housing is situated within a registered 'relocatable home park' with 'living places' separated from short-term camping areas and connected to 'reticulated sewerage, storm water drainage, and a reticulated water supply'. The Regulations apply equally to freehold land and recreation reserve. The NCC enforces these Regulations, which includes certifying waivers of the regulations of the Building Act 2004.
- The Nelson Resource Management Plan (see section 5.7) requires a resource consent for permanent accommodation within the Open Space and Recreation Zone.
- The Nelson Resource Management Plan does not permit the erection or extension of any structure (excluding a fence) within 15 metres of the centre line.

of the Brook Stream (a Riparian Overlay) in both the Residential and Open Space and Recreation zones within the Reserve (REr 71 and OSr 56 respectively). Many of the long-term camp units, especially within the southern part of the camping area, are within this overlay and may be considered 'structures'

- The Reserves Act 1977 (see section 5.3.3) limits camping on a recreation reserve by 'the owner of any vehicle, caravan, tent, or removable structure' to a total period of more than four weeks during the period from 1 November to 31 March, without authorisation. This applies to only the recreation reserve, but is superseded by the Camping Ground Regulations over the entire Reserve.
- Lot 49, which includes most of the land currently occupied by long-term residents, was gifted to Council in 1911 with the requirement, as stated in the Memorandum of Transfer (see Section 4.2.1), that the land "be held for ever as and for Pleasure Grounds or for any other purpose of enjoyment or recreation". It is doubtful that permanent accommodation would match that land use expectation.

Residential campers within the Reserve are generally required to sign a 'Terms and Conditions of Long Term Stay' although due to different occupation dates not all existing residential campers have signed the latest (April 2010), or any, version. The agreement sets out requirements for payment of fees, electrical warrants of fitness requirements, the scale of site occupation, and refusing the keeping of pets, subletting sites and operating a business on site, amongst other provisions and controls. There are no requirements for duties which assist camp management or supervision.

The Maitai Valley Motor Camp offers long-term accommodation on its site – particularly in response to the Christchurch earthquakes – with various provisos. These include, for example, a restriction on any permanent structures (all equipment and accommodation must be immediately removable), garden planting is only permitted in moveable planter boxes, and long-term campers are located in a defined area. The manager of the Motor Camp notes that long-term campers are a very important source of income for the business, particularly over winter.

The Tahuna Beach Holiday Park operates a formal relocatable home park with approximately 170 semi-permanent residents.

Council permits 'liveaboard' occupation at the Nelson Marina based on a set of rules, which include controls on the level of occupation (three per pontoon), electricity consumption (limited to battery chargers and small household appliances (like TV, radio) – no electrical heaters are permitted), animals (only birds are permitted as pets), and that any liveaboard tenant who does not live aboard their boat for more than three months loses their liveaboard status. Liveaboard tenants are expected to: help monitor security within the marina and its parking lots, report to the Marina Supervisor any unusual conditions or activities (like broken street lights, mooring lines, water pipes) needing attention, and to assist visiting yachts by directing them to the visitors' area.

Similar requirements could form a revised occupation agreement for residential campers at the Reserve. The Tahuna Beach Holiday Park requires semi-permanent residents in its relocatable home park to accept a licence to occupy, which includes terms of conduct.

### 7.1.2 Consultation and research response

There is wide support for the retention of a camping ground at the Brook Recreation Reserve, from nearby residents of Brook Street, residential campers and other existing and potential users of the site, including the Brook Waimarama Sanctuary, NMIT and the Cycle Lift Society

There is a range of attitudes to residential camping, with those on-site clearly stating their preference to remain, while there is concern that residency limits other public uses of the site and reduces the ability of the area to attract short-term campers. Severinsen (2009) rather unkindly describes the latter potential conflict (p126)

*... holidaymakers and the general New Zealand public are frequently attracted by an idealised notion of camping. This New Zealand holiday idyll for some becomes tarnished by the realities of long-term residents – noisy, unkempt social misfits and the development of permanent and aesthetically displeasing dwellings*

In contrast, the Brook camp was described by a current resident as “an affordable accommodation option that provides dignity, serenity and sanity.” Some residents describe it as an attractive choice for living, while others see it as their only option, feeling unable to settle into traditional housing for economic, social, personal or health reasons.

In her 2009 thesis on camping ground residence in New Zealand, Christina Severinsen stated a conclusion in line with the consultation findings for this Plan (p236)

*[Study] participants have provided a picture of housing circumstances on the margins of society and especially for those socially and economically excluded from the housing market. Residents have focused on the process of community and home and place-making rather than the physical nature of their dwellings. Hence, this research has shown the ways in which social connections within camping grounds, and attachment to place, enable many residents to achieve a sense of social inclusion and support and health*

*Camping ground residence is shaped and defined by residents, but also by outsiders' use and conceptualisations. In this way, camping grounds have also been described as sites of conflict, where residents often had to negotiate and construct their housing in opposition to wider, more dominant views. These narratives show variability and contradictions in views of place, how different residents may perceive camping grounds differently but still feel at home, and highlight the ways in which camping grounds can simultaneously shape both negative and positive health experiences*

Severinsen recommends (p231)

*In terms of camping grounds, there has been a punitive reaction to residents, and little acknowledgement of housing solutions to address the 'problem'. This research has shown the narratives, policies, and practices that give rise to social exclusion effectively marginalise camping ground residents. The complexity of camping ground residence means there are no simple solutions. For example, a more rigorous enforcement of the Camping Ground Regulations (1985) through evicting residents overstayng the 50-day period, without providing alternative permanent stable housing,*

*undermines residents' rights to accessible, affordable housing. Similarly, there is a situation in New Zealand of mutual dependency between owners of camping grounds and long-term residents [via a predictable income stream]*

*Any suggestion to enforce the Camping Ground Regulations (1985) does not take into account the inherent risks to residents' housing rights. In New Zealand, the concurrent lack of available alternatives to more secure housing must firstly be dealt with. Furthermore, policy needs to keep perspective of the importance of 'home' present in camping grounds in potential changes to legislation and enforcement of the Camping Ground Regulations (1985). Regardless of whether residents chose to live there or not, camping grounds are the home of many residents, and their present place in society. This research gives indication for addressing social exclusion in housing at all levels, and that housing must be an intersectoral approach focusing on housing rights.*

*In sum, camping ground residence must be acknowledged as [a] much more complex and significant situation than is portrayed in public and political narratives. Furthermore, without moves to ensure adequate provision of housing for all members of society, camping grounds will continue to form part of housing provision in New Zealand, namely as a low cost accessible housing option for socially excluded, marginalised population groups. Ideally, current practice should be aimed at finding permanent, secure housing, and on assisting people in sustaining tenancies.*

### 7.1.3 Options

The preferred option is to retain a commercial camping ground within the Reserve, and this is based on consistent consultation feedback. Returning the operation to a lease with either a commercial or not for profit agency is also desirable, as this model appears to have worked in the past.

Options for retaining services for residential campers are complex. If a 'relocatable home park' is decided as an option for the Reserve, this management plan recommends locating it on an area of currently freehold title which has excellent screening and proximate ablutions. The preferred site includes and extends on Fantail Glades, as this has a separate and quite well-concealed entry and a strong vegetated boundary. The area currently provides for ten residents with five or more sites unoccupied, and potentially another ten sites could be provided by extending this area to the north (Figure 19), noting that there is a trench to the north of Fantail Glades which would require a design solution, although it already has a small filled path across it. This option frees the remainder of the river-side settings for casual recreation and camping, and riparian development for natural values. There is also one residential site in the far north of the Reserve occupied by a residential camper which retains good screening (see Figure 20).

Stages to achieving a 'relocatable home park' include:

- Define and agree on a suitable area for this activity within the Reserve with a capped number of available sites (such as the number of existing residential

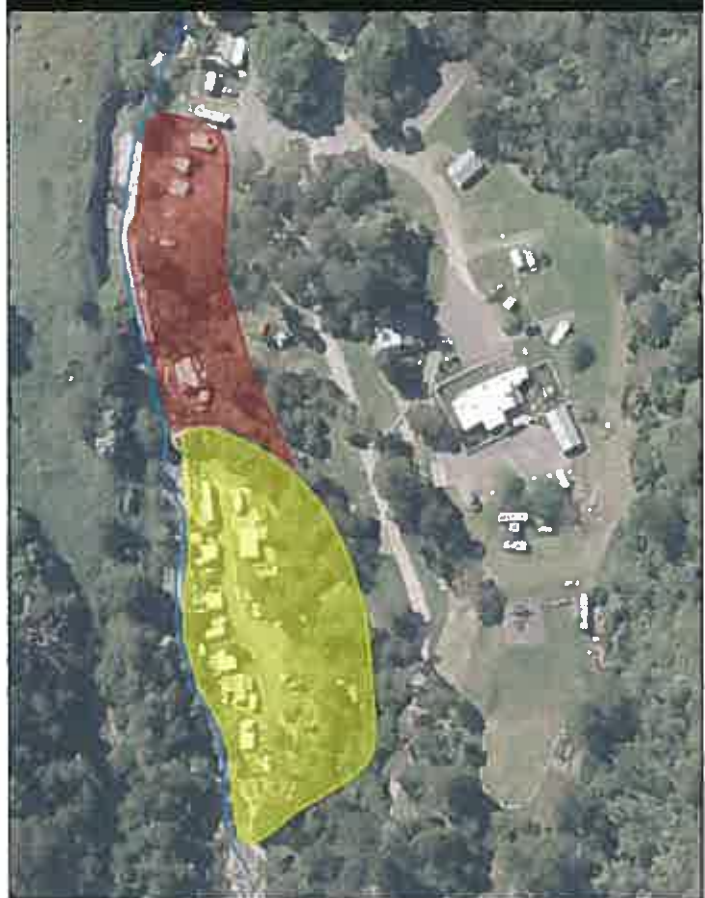


campers as at April 2015 23 – see Figure 20 – plus a small allowance for long-term campers who are currently away<sup>28</sup>, giving a proposed maximum total of 25).

- Define a period of occupation for residential camping if this activity is not seen as suitable in the long-term or appropriate considering land status (such as occupying land gifted for public recreation)
- Define and approve a 'relocatable home park' within the Reserve under the Camping Ground Regulations. This will require NCC to define the degree to which the existing levels of service for wastewater and stormwater comply, and if they do not, the work required to ensure compliance
- Apply for a resource consent for accommodation within the Open Space and Recreation Zone, unless the activity is defined as camping and all units are truly relocatable (as they are in the Maitai Valley Motor Camp, which is also in an Open Space and Recreation Zone under the NRMP and is also a designated camping ground).
- Avoid permanent structures in the Riparian Overlay.
- Waive compliance with the Building Regulations as they apply to each form of accommodation, as necessary and reasonable.
- Waive compliance with occupation limits under the Reserves Act if the entire Reserve is gazetted as recreation reserve (which is recommended by this draft plan)
- Work with existing residents to develop an appropriate transition process, which may allow for the retention of some existing sites outside the relocatable home park for defined periods

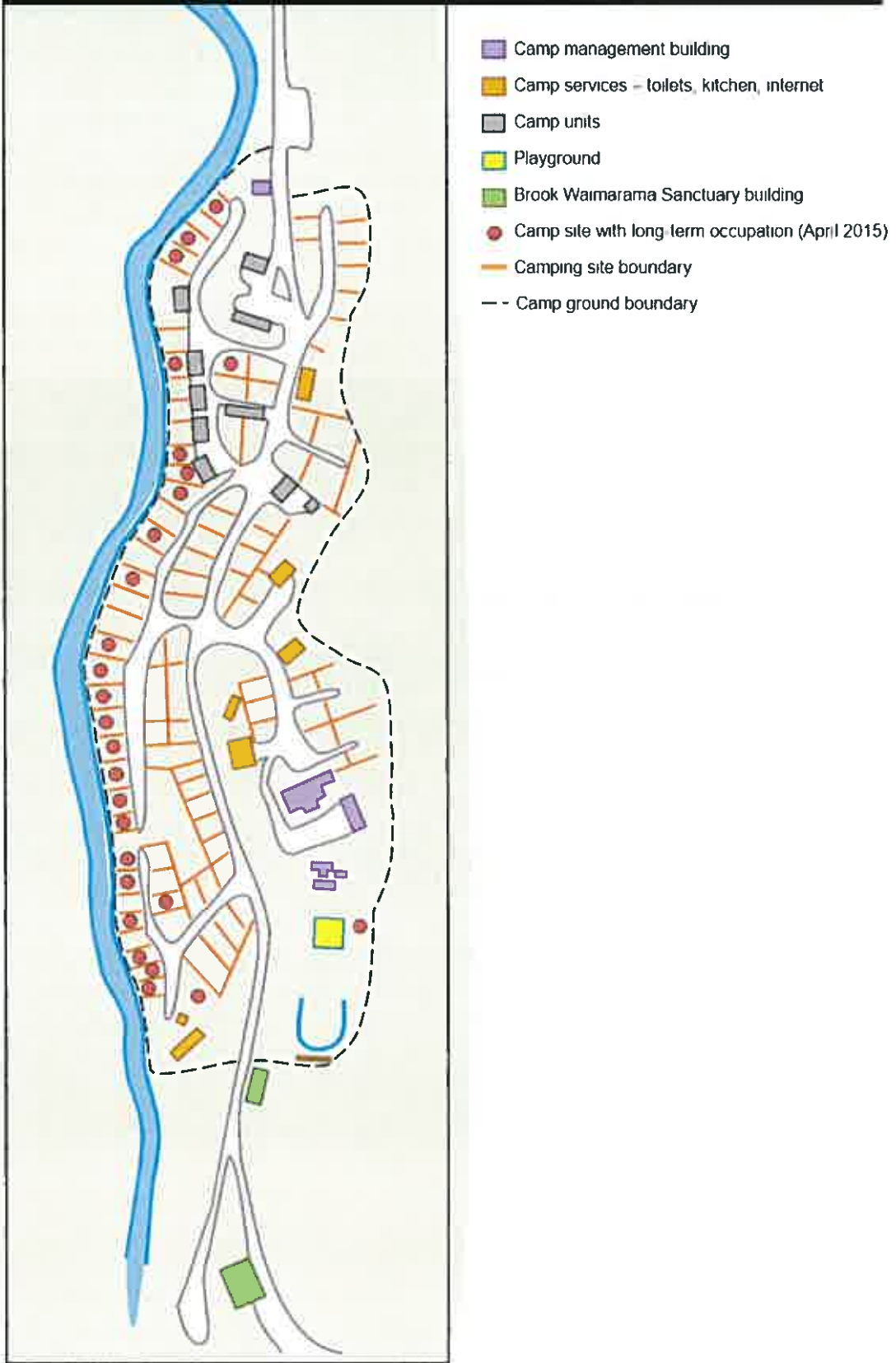
Draft policies based on these issues and options are in Sections 9.1, 9.2, 9.6 and 9.7

Figure 19: Fantail Glade (yellow) and possible extension (red)



<sup>28</sup> Section 9.7 defines how this is recommended to be agreed

Figure 20: Location of residential campers at April 2015





## 7.2 Protected trees and vegetation management

*The Brook camp is a precious area, it really could play a major and leading role in showcasing Nelson as an innovative place, where nature and people can interface in this (potentially) wonderful environment*

Donna Butler suggestion

### 7.2.1 Issue

Trees within the Reserve are within a 'landscape woodland' as defined under the Nelson Resource Management Plan, as well as 18 specified 'landscape' sequoia and one 'local' deodar cedar (see Figure 16 on page 40). The Nelson Resource Management Plan states:

#### **DO4.1.8 Landscape Trees**

*The protection of Landscape Trees or groups of Landscape Trees is considered important, and removal should be avoided where this can reasonably be achieved*

Explanation and Reasons

*DO4 1.8 i The protection of Landscape Trees (listed in Appendix 2) is important to the District, but of a lesser priority than Heritage Trees. The assessment matters listed alongside the respective rule will guide decision making with respect to when protection can "reasonably be achieved"*

#### **DO4.1.9 Local trees**

*The protection of Local Trees or groups of Local Trees is desirable, and removal should proceed only after alternatives have been considered*

Explanation and Reasons

*DO4 1.9 i The protection of Local Trees (listed in Appendix 2) is desirable, but of a lesser priority than Landscape Trees*

The characteristics of the 'landscape woodland' are not defined in the NRMP and there are no Rules in the Open Space and Recreation Zone specific to them. They have status as a 'heritage overlay' and may require consideration when development activities affect them.

The NRMP permits crown thinning (or 'normal trimming') of Landscape Trees in accordance with 'accepted arboricultural practice' in the Open Space and Recreation Zone, but a non-notified resource consent is required for further pruning work (OSr 69). The consent will define controls over the timing, amount and manner of pruning allowed. A resource consent is required to remove a Landscape Tree, and this may be notified (requiring public input). A 'local' tree may be removed if notice is given to Council one week prior to the work being done (OSr 72).

An important consideration is the activity of camping in the Reserve in lightly-built structures – tents, vans and caravans – which offer little protection from falling limbs. Arboricultural practices need to recognise the relatively high level of risk posed by possible tree and limb fall in a setting with long-term exposure for campers.

It is anticipated that the proposals in this management plan will reduce the need for public notification for any resource consents required to manage trees within the Reserve.

### 7.2.2 Consultation response

The consultation process indicates that the key issues for management of Woodland Trees within the Reserve involve

- Senescent kanuka and several other trees which pose a risk to campers and other Reserve visitors,
- Many notable individual and groups of trees which lend the Reserve its core landscape values,
- The role of trees in shading and cooling Brook Stream, and
- The trees' and other vegetation's role as habitat and wildlife corridor; noting that the NRMP Enner Glynn and Upper Brook Valley Structure Plan seeks the development of a biodiversity corridor in the area (see Figure 17 on page 42)

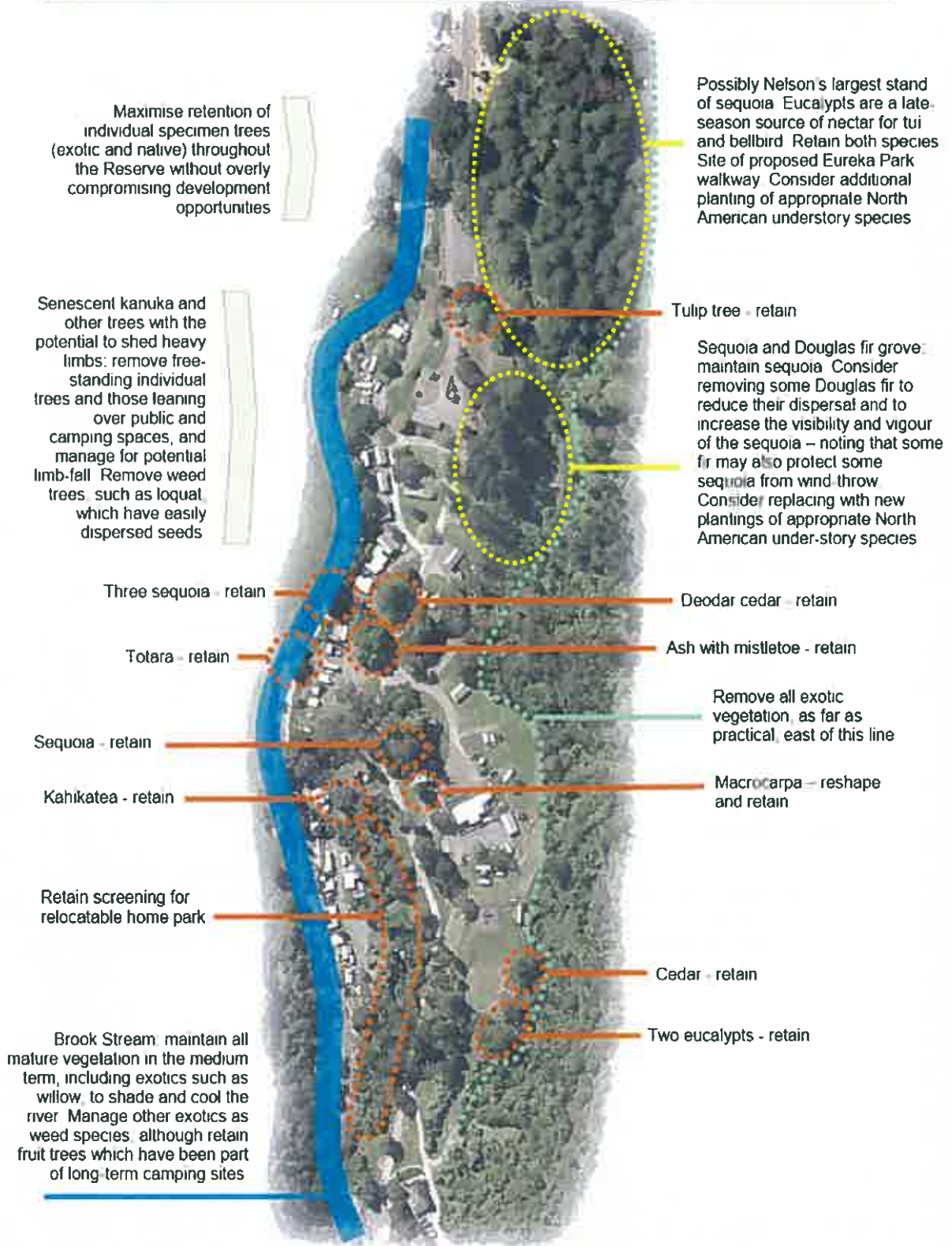
Comment was received (including from the Department of Conservation) that the Reserve is not a significant area for native biodiversity.

### 7.2.3 Options

The draft proposals made here and shown in Figure 21 are based on a review by Council's Environmental Reserves Supervisor (Lindsay Barber) and the author of this report. The intention is to secure the Reserve's core mature vegetation, which is representative of its 'early settler' development history, while allowing flexibility for future development of the Reserve as a visitor and camping setting. Management of other vegetation may still require non-notified consent under the NRMP, but only according to an agreed development plan.

Draft policy is included to encourage the management of trees to limit risk exposure from tree and limb fall (Section 9.6). The options in Figure 21 are draft requirements for the proposed comprehensive development plan for the Reserve (Section 9.2).

Figure 21: Vegetation management recommendations



### 7.3 Civil defence role

#### 7.3.1 Issue

The consultation process has indicated an interest in the degree to which the camping facilities at the Reserve have an important civil defence role. Feedback about this idea has been sought from Roger Ball, the regional Civil Defence Emergency Management manager. In summary

- An assessment of Civil Defence Centres, which are used for evacuation and welfare purposes, has been carried out in the region and the Brook Recreation Reserve has not been identified in this role.
- The camp facilities could potentially be useful for emergency accommodation in some circumstances, and the Reserve area also represents a potential safe location for evacuation in some extreme scenarios. However, looking at the City's risk profile as a whole, other facilities are a better fit to fulfil the role of a Civil Defence Centre.
- There are many reasons why other facilities are a better option than the Reserve to be designated a Civil Defence Centre, including location, access to transport routes, kitchen facilities and communication links.
- A further consideration is the availability of trained staff to run Civil Defence Centres, and this places a limit on the number of Civil Defence Centres that could be run effectively at the time of an emergency.
- Priority for emergency accommodation will be given to indoor settings, and any outdoor options under canvass would be a last resort, particularly considering seasonal and weather issues. There is not a shortage of suitable outdoor spaces in more accessible and better equipped sites in the region.

#### 7.3.2 Consultation response

Interest in the value of the Reserve as a civil defence setting appears to be premised on developing additional rationale for sustaining a camping ground within the Reserve.

#### 7.3.3 Options

This management plan proposes maintaining a camping ground under all options, and any additional value of the setting for civil defence is not part of that rationale. This management plan will therefore not include policy or site development recommendations for civil defence activities, although the Reserve will retain its existing level of access for emergency purposes.

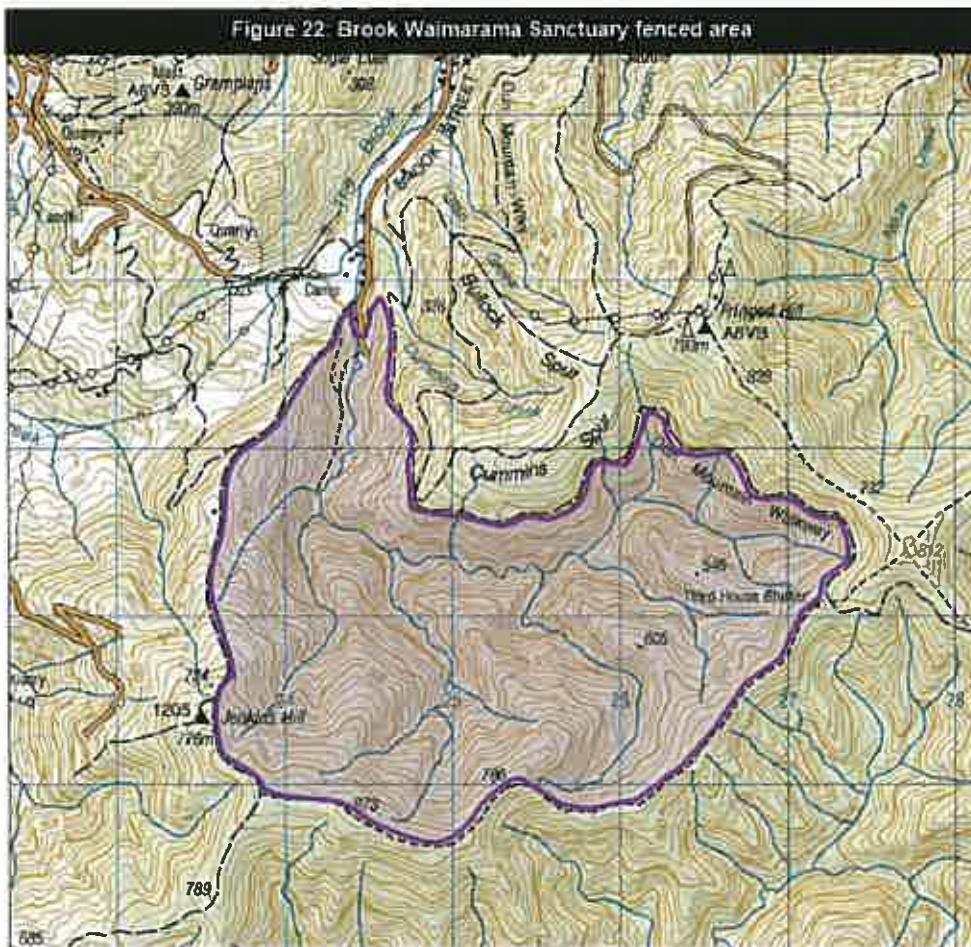


**7.4 Existing development proposals: Brook Waimarama Sanctuary**

*The [Brook Waimarama Sanctuary] Trust is an excellent example of an independent community project with strong community involvement and support that will contribute to protecting and enhancing our natural heritage. It will also provide an accessible and inspiring wildlife experience just a few kilometres from the heart of Nelson city, where people can enjoy and learn more about our environment and be inspired to get involved in protecting it. The sanctuary will have significant value in engendering further understanding and commitment to environmental restoration in the wider community, and awareness of how such work contributes to overall community wellbeing and prosperity.*

Department of Conservation suggestion

The Brook Waimarama Sanctuary is a community-based initiative working to create a pest-free wildlife sanctuary within a 14km-long pest-proof fence enclosing 715ha of the Brook catchment immediately south of the Brook Recreation Reserve (Figure 22) The project was launched in 2004 and has strong community involvement and support, and the endorsement of the Department of Conservation Fence construction began in 2014 with completion due in



2016 Mammalian pest eradication within the fenced area will then be completed, and a range of rare bird, insect and lizard species liberated and/or bred.

In addition to conservation gains, the Brook Waimarama Sanctuary Trust, which administers the project, aims to create a significant visitor attraction for Nelson/Tasman, complementing the region's other main destinations, such as Abel Tasman National Park and the World of WearableArt and Classic Cars Museum. Income from visitors will sustain the Trust's work.

The Brook Waimarama Sanctuary is located within the Brook Conservation Reserve, which is administered according to the *NCC Conservation and Landscape Reserves Management Plan 2009*. This permits:

- The construction of the predator-proof fence (although a resource consent was still required to address its potential adverse effects), while maintaining access to the Dun Mountain Walkway, the Third House-Jenkins Hill track, the Jenkins Hill to Brook Valley track and access to Marsden valley.
- Charging a fee for access to the Sanctuary, while maintaining "an appropriate level of free public access to the sanctuary, as agreed with Council, with times to be determined through lease negotiations". The latter has been set as including an annual public open day during the visitor shoulder season.
- Constructing "such buildings and other structures as are necessary for the operation of the Brook Waimarama Sanctuary".
- And carrying out pest control activities on the outside boundary of the fenced area.

The *Conservation and Landscape Reserves Management Plan* also provides for the "development of the area at the northern edge of the reserve as an educational training centre by Nelson Marlborough Institute of Technology, Brook Waimarama Sanctuary Trust and the Department of Conservation." However, the proposal for the location of this facility is outside the boundaries of the Brook Conservation Reserve and is therefore considered by this draft management plan. The *Conservation and Landscape Reserves Management Plan* recognises the 2005-2015 lease to the Trust for its existing visitor centre. The Trust also operates a utilities shed near the northern boundary of their lease area. This was sized to avoid the need for a consent application.

#### 7.4.1 Issue

The Brook Waimarama Sanctuary is an established and important provider of regional and national conservation values, with objectives of developing a significant regional tourism and education asset. It is an important recreation resource and it has strong community support for its activities. The Trust supports the development of the Reserve as a tourism and recreation hub. At the minimum it seeks:

- Improved visibility of the Sanctuary as a destination within the Reserve and within Nelson.
- Development of the camping ground to an improved standard to enhance visitor experiences in the Reserve and Sanctuary (a unique opportunity for a fenced sanctuary in New Zealand), to lengthen the regional visitor stay, and to broaden the visitor market to include, for example, special interest and education groups.

- Improved traffic flow and parking within the Reserve to better support buses and private vehicles, and to allow the development of the existing car park adjacent to the Big Dam for other visitor activities,
- The relocation of the Brook Conservation Education Centre to within the Reserve, operated in cooperation with NMIT and the Department of Conservation,
- Management of the Reserve's natural values, and public access to them, to complement the conservation values within the predator proof fence, and
- Capacity to develop additional Sanctuary management infrastructure within the Reserve, such as utility sheds and wildlife enclosures

With the objective of developing a regional education and tourism hub, the Trust supports

- A management plan which allows for the location of complementary commercial and public recreation activities within the Reserve, such as mountain bike hire and a ropes course,
- Locating the proposed gondola within the Reserve if it does not displace the activities of the Trust, and has minimal environmental and social impacts

#### **7.4.2 Consultation response**

Consultation indicated strong and wide support for the activities of the Brook Waimarama Sanctuary Trust. The Trust is widely considered to be an important beneficiary of the management of the Reserve. Its conservation activities and role as a visitor attraction underpin this support.

However, cumulative effects of traffic on local streets was considered a potential issue in consultation, and there was some concern over the development of associated commercial activities within the Reserve, and the loss of open space values due to too much facility and parking development.

#### **7.4.3 Options**

The preferred scale of development within the Reserve for the purposes of the Brook Waimarama Sanctuary depends to a large degree on the preferred vision for the Reserve, that is, the scale to which it is developed as a regional tourism hub with a range of complementary visitor attractions, accommodation and education services.

Either way, the policies of this draft management plan should provide a wide scope for the development of facilities and services for the Trust within the Reserve, subject to agreement on a comprehensive development and facility management plan.

Options to support the Brook Waimarama Sanctuary permeate all draft policies in Section 9.



## 7.5 Existing development proposals: Brook Conservation Education Centre

*With the closure of the Brook Conservation Education Centre, the [Brook Waimarama Sanctuary] Trust has worked to maintain the partnership with NMIT and DOC to continue offering the Trainee Ranger programme. All three parties are committed to re-establishing the centre at a site adjacent to the sanctuary to provide the educational benefits of access to the sanctuary. Nelson is the only region in New Zealand where the DOC ranger training takes place and the Sanctuary and site are essential for this continuing.*

Brook Waimarama Sanctuary Trust suggestion

The Brook Conservation Education Centre, jointly operated by the Nelson Marlborough Institute of Technology (NMIT) and the Brook Waimarama Sanctuary Trust, opened in 2011 several hundred metres north of the Reserve, within the Brook Conservation Reserve. It was closed due to risk posed by a landslip on Fringed Hill after one year of operation. The *NCC Conservation and Landscape Reserves Management Plan 2009* permitted development of the Centre, and there has been public and agency support for locating it in the Brook Valley for some time. There is a strong strategic advantage for it to be located near the Brook Waimarama Sanctuary, and NMIT proposes redeveloping the Centre within the Reserve.

The Centre is the only tertiary institute in the country contracted by the Department of Conservation (DOC) to provide the National Certificate in Conservation (Trainee Ranger Level 3), as well as ongoing conservation-related staff training. The Brook Waimarama Sanctuary Trust provides NMIT with opportunities to use the Sanctuary for training purposes, and for students to engage in projects that directly benefit the Sanctuary.

### 7.5.1 Issue

The location of the Brook Conservation Education Centre within the Brook Valley is considered by the three agencies involved (DOC, NMIT and the Brook Waimarama Sanctuary Trust) as a fundamental requirement of the ranger training and education programme. The parties also see the Centre having a wider role in supporting the education activities carried out by the Trust (and to be jointly operated) as well as providing local meeting and seminar space.

The site proposed for the Centre within the Reserve is immediately to the north-east of the existing camp office. It is currently occupied by tent sites, and is part of the recreation reserve. The existing Centre occupies approximately 1720m<sup>2</sup> of space including parking, which is almost identical to the area available on that grassed area in the Reserve.

### 7.5.2 Consultation response

Locating the Brook Conservation Education Centre within the Reserve has been described in some suggestions as a poor use of space otherwise available for camping or other public recreation activities.

Several suggestions suggest that an education facility of the type proposed would be inconsistent with the purpose of a recreation reserve under the Reserves Act. While the purpose of a recreation reserve is described in the Act as (17(1))

*providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.*

section 53 provides broad scope for developing a recreation reserve in a variety of ways to benefit the public, including (53(1)(g)):

*provided that where the Minister considers it to be in the public interest, the administering body may, with the prior consent of the Minister, erect buildings and structures for public recreation and enjoyment not directly associated with outdoor recreation*

and (53(1)(k)):

*with the prior consent of the Minister, set apart and use any part of the reserve as sites for residences for officers or servants of the administering body or of rangers or for other buildings considered desirable or necessary for the proper and beneficial management, administration, control, protection, and maintenance of the reserve*

These provisions are paralleled in the provisions in the Act for the leases on recreation reserves (Section 54 of the Act), summarised in section 7.6 of this report in reference to the gondola proposal.

This draft management plan adopts the position (to be tested through consultation on this draft) that the Reserve has an important role in supporting the activities of the Brook Waimarama Sanctuary Trust. With this in mind, it would therefore be appropriate to locate within the Reserve "other buildings considered desirable or necessary for the proper and beneficial management, administration, control, protection, and maintenance" (53(1)(k)) of the Brook Conservation Reserve (the Trust's lease area).

As discussed in Section 5.3, in June 2013 the Minister of Conservation delegated authority to local government to approve leases, management plans and other uses of reserves, where the activity is consistent with the purposes of the reserve and other requirements of the Reserves Act, including consultation processes. This means that gaining prior consent of the Minister of Conservation for those authorities is not required and this management plan will define the desired uses of the recreation reserve. However, the Department of Conservation's written suggestions for this draft plan supports the location of the Centre on the Reserve.

Other suggestions were in support of the use of the Reserve for outdoor and environmental education and training purposes.

### **7.5.3 Options**

Should consultation on this draft support the use of the Reserve for outdoor and environmental education and training purposes, the most comprehensive option available for such a service is the relocation of the Brook Conservation Education Centre to within the Reserve, subject to agreement on a comprehensive development plan.

Draft policies in Sections 9.1, 9.2 and 9.6 allow for the Brook Conservation Education Centre.

## 7.6 Future development proposals: Gondola

*The prospect of a gondola up Fringed Hill is one of the most exciting pieces of news for the Nelson area for some time and if done well could be a world class attraction. The area as a whole needs to accommodate all spectrums of uses from day walkers, nature seekers, mountain bikers, restaurateurs, visitors, history seekers, kids of all ages, arborists and the like*

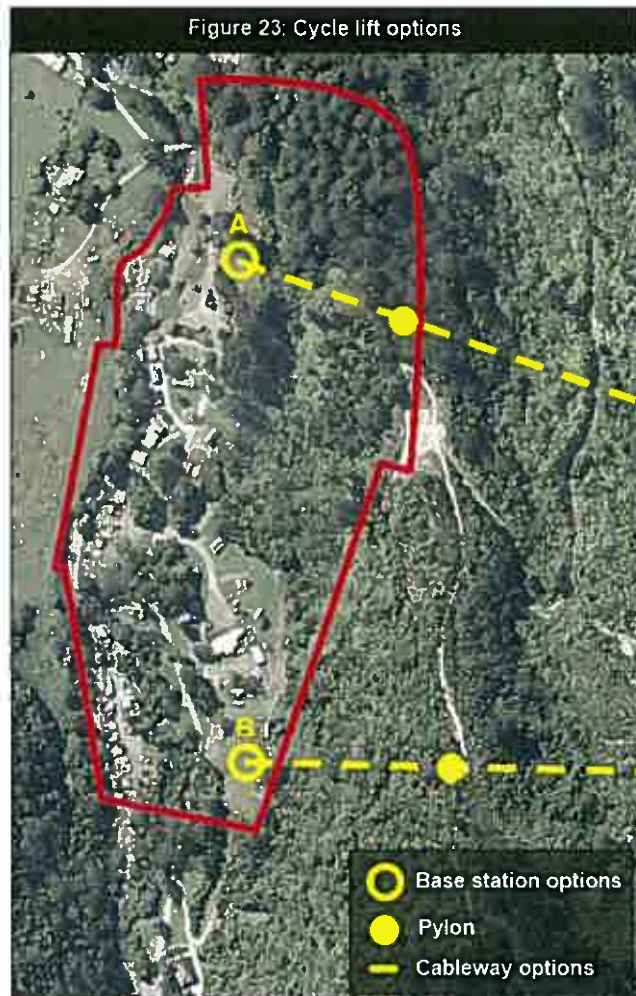
Tim Hardiman suggestion

The Nelson Cycle Lift Society (NCLS) was formed in 2010 with the objective of gaining resource consent for a passenger lift – a gondola – to take walkers and cyclists to the summit of Fringed Hill. A network of cycle and walking tracks to the east of the Reserve, and leading back to the gondola base station and connecting with other routes in the area, is also proposed.

The NCLS, with funding from NCC, prepared a feasibility study in 2014. This indicated that the concept is likely to require some grant funding for capital development, but with an appropriate level of additional commercial investment is potentially a self-sustaining development.

The NCC has indicated support in principle for the proposal, if an appropriate site is identified.

The Brook Recreation Reserve is the Society's preferred site for a base station. Two potential locations within the Reserve have been identified to minimise the need to clear vegetation for the cableway and pylons (Figure 23). The northern option requires a pylon to also be located within the Reserve, and both options would need to be supported by provisions for car parking, ticketing and retail services, and service, staff and management buildings. The NCLS proposal has the support in principle of both the Brook Waimarama Sanctuary and NMIT, and there is the potential to share the use of services and buildings on the site, as well as, potentially, management and administration.



The NCLS is keen to retain a camping option within the Reserve, and considers that this will support the creation of a regional tourism hub in the Brook Valley and enhance the success of its proposal.

#### 7.6.1 *Issues*

The proposal has the potential to:

- Support the development of the Brook Recreation Reserve as a regional tourism hub;
- Complement the existing activities of the Brook Waimarama Sanctuary and those proposed by NMIT, via the sharing of facilities and services, cooperative promotion and ticket sales, and by attracting more regional, national and international visitors to Nelson,
- Provide more visitor activities in Nelson, supporting tourism generally – although this benefit is not necessarily dependent on the activity being based within the Reserve,
- Potentially occupy large areas of open space within the Reserve with developed structures, and change its character from one of a relatively quiet camp and reserve to one with a strong focus on active and commercial recreation and tourism,
- Generate increased traffic activity on Brook and Westbrook Streets, and other roads connecting the Reserve to the City

Either of the two proposed base-station sites would be located within the Open Space and Recreation Zone defined by the Nelson Resource Management Plan, while pylons and other facilities would largely be within the Rural Zone. The southern base-station option would see it located on recreation reserve and the northern option would have the station on existing freehold NCC land. Both options would result in the need for a resource consent, but this management plan could indicate that the location of a base station and other facilities on the recreation reserve were permitted activities under the Nelson Resource Management Plan. This option is not currently available for locating facilities on the freehold land (but would be if the entire Reserve would be gazetted as recreation reserve). But, either way, the development is dependent on public consenting processes that are additional to this management plan.

Fringed Hill and the land to its west (east of the Brook Recreation Reserve), where the remainder of the gondola infrastructure is proposed to be located, is within the Brook Conservation Reserve, which is controlled according to the *NCC Conservation and Landscape Reserves Management Plan 2009* prepared under the Reserves Act. That Plan does not contemplate or provide for the gondola proposal, and a change to the Plan, within a consultation process prescribed by the Reserves Act, would also be necessary.

The Brook Recreation Reserve is the NCLS's preferred option for the base station, but an alternative is to locate the facility in the Maitai Valley. This has less favourable wind patterns and would require additional research and design, a new feasibility study, and a delay in construction, if approved, by an estimated two years.



Traffic and parking issues associated with the gondola proposal are reviewed in Section 7.7 of this draft plan.

### 7.6.2 Consultation response

The proposal gained both support and opposition through the initial consultation stage for this draft management plan. It is potentially the most contentious issue associated with this process. The main concerns relate to

- Effects on open space, scenic and recreation values within Reserve, particularly the scale of car parking required.
- Traffic effects on local streets.
- The viability of the proposal and potential financial costs to ratepayers (this issue is beyond the scope of this management plan, but is addressed by the already completed feasibility study).
- Adverse effects on residential campers and other campers within the Reserve as a result of additional visitor activity and the occupation of camping area

The Brook Waimarama Sanctuary and NMIT have stated their preference for the base station to be located at the northern end of the Reserve to reduce crowding of facilities and people in the southern end

Several suggestions were that a gondola would be inconsistent with the purpose of a recreation reserve under the Reserves Act. The purpose of a recreation reserve is described in the Act as (17(1)):

*providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.*

Section 54 provides the administering authority the ability to lease part or all of a recreation reserve for a variety of purposes and structures (54):

*(1) With the prior consent of the Minister, the administering body, in the case of a recreation reserve that is vested in the administering body, may from time to time, in the exercise of its functions under section 40, to the extent necessary to give effect to the principles set out in section 17,—*

*(a) lease to any person, body, voluntary organisation, or society (whether incorporated or not) any area set apart under section 53(1)(h) for baths, a camping ground, a parking or mooring place, or other facilities for public recreation or enjoyment. The lease—*

*(i) may require the lessee to construct, develop, control, and manage the baths, camping ground, parking or mooring place, or other facilities for public recreation or enjoyment, or may require the lessee to control and manage those provided by the administering body, and*

*(ii) shall be subject to the further provisions set out in Schedule 1 relating to leases of recreation reserves issued pursuant to this paragraph*

- (b) lease to any voluntary organisation part of the reserve for the erection of stands, pavilions, gymnasiums, and, subject to sections 44 and 45, other buildings and structures associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities, or lease to any voluntary organisation any such stands, pavilions, gymnasiums, and, subject to section 44, other buildings or structures already on the reserve, which lease shall be subject to the further provisions set out in Schedule 1 relating to leases of recreation reserves issued pursuant to this paragraph provided that a lease granted by the administering body may, with the prior consent of the Minister given on the ground that he or she considers it to be in the public interest, permit the erection of buildings and structures for sports, games, or public recreation not directly associated with outdoor recreation*

A gondola, delivering cyclists and walkers to participate in their recreation pursuits would fit the description of a facility provided for 'public recreation or enjoyment'

In June 2013 the Minister of Conservation delegated authority to local government to approve leases, management plans and other uses of reserves, where the activity is consistent with the purposes of the reserve and other requirements of the Reserves Act, including consultation processes. This means that gaining prior consent of the Minister of Conservation for those authorities is not required and this management plan will define the desired uses of the recreation reserve.

### 7.6.3 Options

Decision options include:

- Agreeing, or not, to locate the gondola in the Reserve, depending on:
  - The options of developing the Reserve as a regional tourism hub, or to retaining it as a more low key development style (as per the vision options in Section 8),
  - Effects of the development on traffic volumes on nearby roads
  - The costs and benefits of developing the gondola base station in the Maitai Valley
- Controlling the scale and location of development for a gondola within the Reserve by:
  - Deciding to locate the gondola base station in the north or the south of the Reserve. The north is the preferred option by other key parties.
  - Limiting the scale of development for facilities associated with the gondola to a specified footprint. For example, the NCLS indicates that provision for 160 carparks is desired. This would occupy almost



5000m<sup>2</sup> of flat land, assuming an average occupation per vehicle, including aisle space, of 30m<sup>2</sup>. This would be more than approximately 12% of the level land within the Reserve<sup>29</sup> if all parking was provided for on-site. Approximately 3500m<sup>2</sup> of level area is available at the site of the existing – but closed – Brook Conservation Education Centre approximately 260m north of the existing camp gate.

- Providing for a tourism activity hub envelope in the Reserve without prescribing a specific development activity. This would allow for the NCLS to apply for a resource consent, but would not foreclose the opportunity to develop part of the Reserve for other compatible tourism or commercial recreation activities should the consent application fail. This allows for Vision 1 for the Reserve (see Section 8.2 – the Reserve as a tourism hub) to be retained as an objective under this management plan regardless of the actions of the NCLS.

The latter option is adopted by this draft plan. However, a gondola is used as an example for traffic generation and the scale of potential site occupation. Draft policies in Sections 9.2 and 9.6 allow for and control tourism or commercial recreation activities within the Reserve.

<sup>29</sup> There is approximately 40,000m<sup>2</sup> of level land within the Reserve, which is approximately 40% of its total area (10,112ha).

## 7.7 Traffic and parking

*With a 160 carpark and 4 bus parks there wouldn't be much land in the campground left. Brook Street is hard enough to drive up now with a car parked on the roadside. If there were cars and buses driving up and down as regularly [as proposed] then the road would be total chaos.*

Pam Mander suggestion

All visitor activities currently carried out on the Reserve, and those proposed, generate traffic on local roads, and require parking within or near it. This demand may have adverse effects on local residents and on Reserve values.

### 7.7.1 Issue

The Brook Waimarama Sanctuary, a relocated Brook Conservation Education Centre and the proposed gondola – or other tourism or commercial recreation development – would all generate additional traffic on local streets and have demands for onsite parking. These have the potential to adversely affect local residents and to occupy open space within the Reserve, competing with other land uses and landscape values.

A review of traffic and parking requirements is provided in this section of this draft plan for all currently proposed facilities on the Reserve, noting that while this management plan can open (or close) the door for the proposed developments on the Reserve, resource consent will still be required for most components of each new activity. This analysis is therefore not a definitive statement about the suitability of, or the ability to gain consent for, the proposed activities.

Base considerations for the analysis include:

- The Brook Waimarama Sanctuary is an established activity on and near the Reserve and already generates traffic in local streets. Additional traffic is anticipated as the Sanctuary grows in popularity. Traffic effects of the Sanctuary are therefore considered to be anticipated and accepted. The Sanctuary Trust may, however, wish to reconfigure parking and road access within the Reserve to support improved visitor flows and better land use.
- The Brook Conservation Education Centre has been established in the Brook Valley since 2011, although it did not operate for long. However, the Centre gained resource consent for its existing parking and traffic generation in a location very near the Reserve and on land administered as reserve by NCC. Local traffic generation by the Centre is therefore not considered an additional concern. The Centre also generates a very small amount of traffic.

### Parking

The Brook Conservation Education Centre has 22 parking sites at its existing location. The Brook Waimarama Sanctuary currently uses 30 sites immediately below the Big Dam within the Reserve but needs additional areas for buses. The gondola has an expectation of requiring 160 parks plus three coach parks. If each site occupies 30m<sup>2</sup>, the total parking area required would be 6,600m<sup>2</sup>, or almost 17% of all the level land within the Reserve. Figure 25 indicates the approximate scale of land coverage that would result within the Reserve.

### Traffic

Appendix 3 contains an analysis of traffic activity potentially generated by the main visitor activities on the Reserve

The Brook Conservation Education Centre is projected to contribute a peak of 164 cars per month, or just over five per day (assuming a relatively high level of use of public transport, car-sharing and cycling)

The Brook Waimarama Sanctuary is projected to generate a peak of 1,700 cars in January, or 55 per day in that month, and an average of just over one bus per day (36 in January) This is based on

- 33,000 annual visitors to the Brook Waimarama Sanctuary,
- 2,030 visitors to the Brook Conservation Education Centre

As both these activities (Sanctuary and Education Centre) are currently consented to operate in the Brook Valley, their contribution to traffic movements on Brook Street are considered to form part of the base from which any additional changes caused by the proposed gondola are to be measured

The figures above for vehicle counts need to be doubled to equate to vehicle movements, accounting for return trips

Existing peak traffic on Brook and Westbrook Streets in the record used here (November 2014, recorded on both streets just south of the Seymour Street intersection) currently occurs between 5:00pm and 6:00pm with 392 traffic movements (both lanes). The Sanctuary and Conservation Education Centre would add another 11 movements to give a base of 403 movements in that hour (using peak January data). If the additional traffic activity caused by the gondola is dispersed according to existing traffic patterns, it amounts to 13 extra traffic movements in that hour (6.5 vehicles passing twice), for a total of 415 traffic movements for that hour, or an additional 3% more vehicle activity for the entire day (4558 compared with a base of 4417 movements). This percentage of contribution to total traffic activity on Brook Street would increase closer to the Reserve (as background levels of traffic decrease). The gondola is projected to generate a peak of just over 2,140 cars in January, or 69 cars per day in that month, and an average of 1.5 buses per day (48 in January). The calculations for the gondola, and seasonal activity, are based on

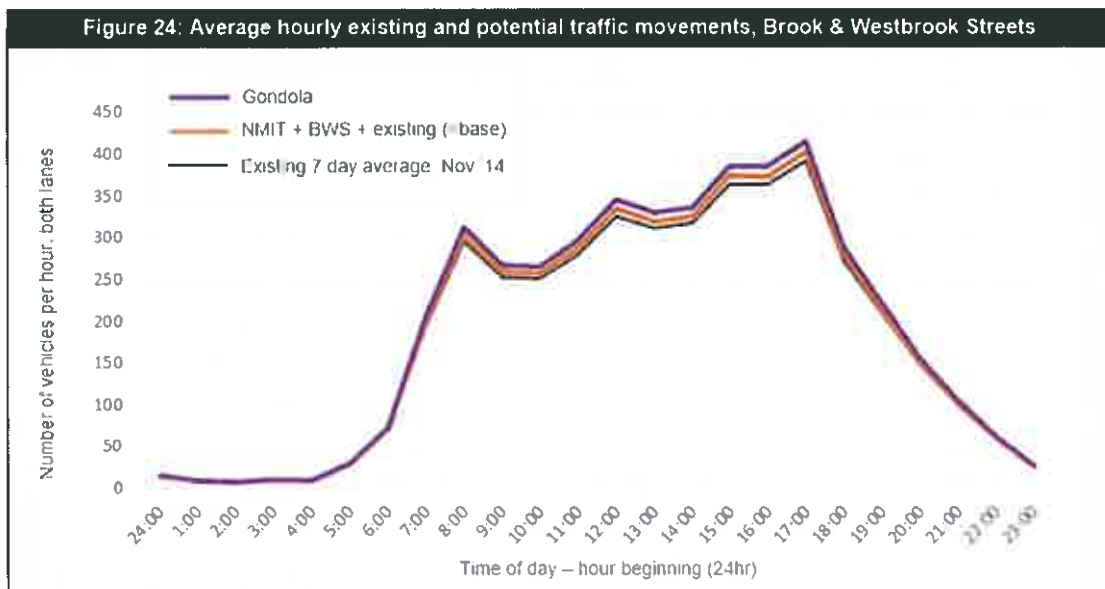
- 42,600 annual visitors to the gondola,
- Monthly visitor patterns to the Brook Waimarama Sanctuary and the gondola as per records for occupation of commercial accommodation in Nelson, with a peak in January of 16% of all annual visitor activity, and an even level of activity for the Brook Conservation Education Centre,
- Different percentages of all visitors taking public transport, cycling, buses and private cars, as shown in Appendix 3

Existing and potential traffic activity is shown in Figure 24 using traffic counts for November 2014 and projected traffic activity for January in year 1 of operation for the Sanctuary, NMIT and gondola

In January, the Brook Conservation Education Centre would contribute 4% of all traffic activity to the Brook Recreation Reserve, the Sanctuary 42% and the gondola 53% if no allowance is made for casual recreation and camping activities

All developments would generate more cycle activity in local streets, with an estimated 8,250 visitors per year on bikes to the Reserve, or 16,500 movements per year, or 45 movements per day. It is estimated that 13% of these would be associated with the Brook Conservation Education Centre, 54% with the gondola and 32% with the Sanctuary. There is no base count for existing cycling activity on Brook or Westbrook Streets

These figures are likely to be lower due to double counting between the Sanctuary and the gondola, with a certain percentage of visitors likely to do both activities during the one trip. This reduction is not accounted for in this assessment



**7.7.2 Consultation response**

Increased traffic activity on local streets resulting from new developments on the Reserve were a strong focus of concerns expressed during the early consultation phase for this management plan. Associated with that was worry about the scale of parking required on-site for all visitor activities on the Reserve, and whether this would occupy too many potential camping areas and reduce the Reserve's open space values

**7.7.3 Options**

The Brook Conservation Education Centre is essentially an existing activity in the Brook Valley and there should be no consideration of its traffic effects, which are very minor. The decision relates to locating the Centre within the Reserve and its occupation of space that would otherwise be available for camping or other recreation.

The Brook Waimarama Sanctuary is an established activity in the Brook Valley and its contribution to additional traffic in the Brook Valley has been anticipated and accepted. The

issue relates to reconfiguring vehicle routes and parking within the Reserve and the Brook Conservation Reserve to maximise benefits to visitors and Trust activities.

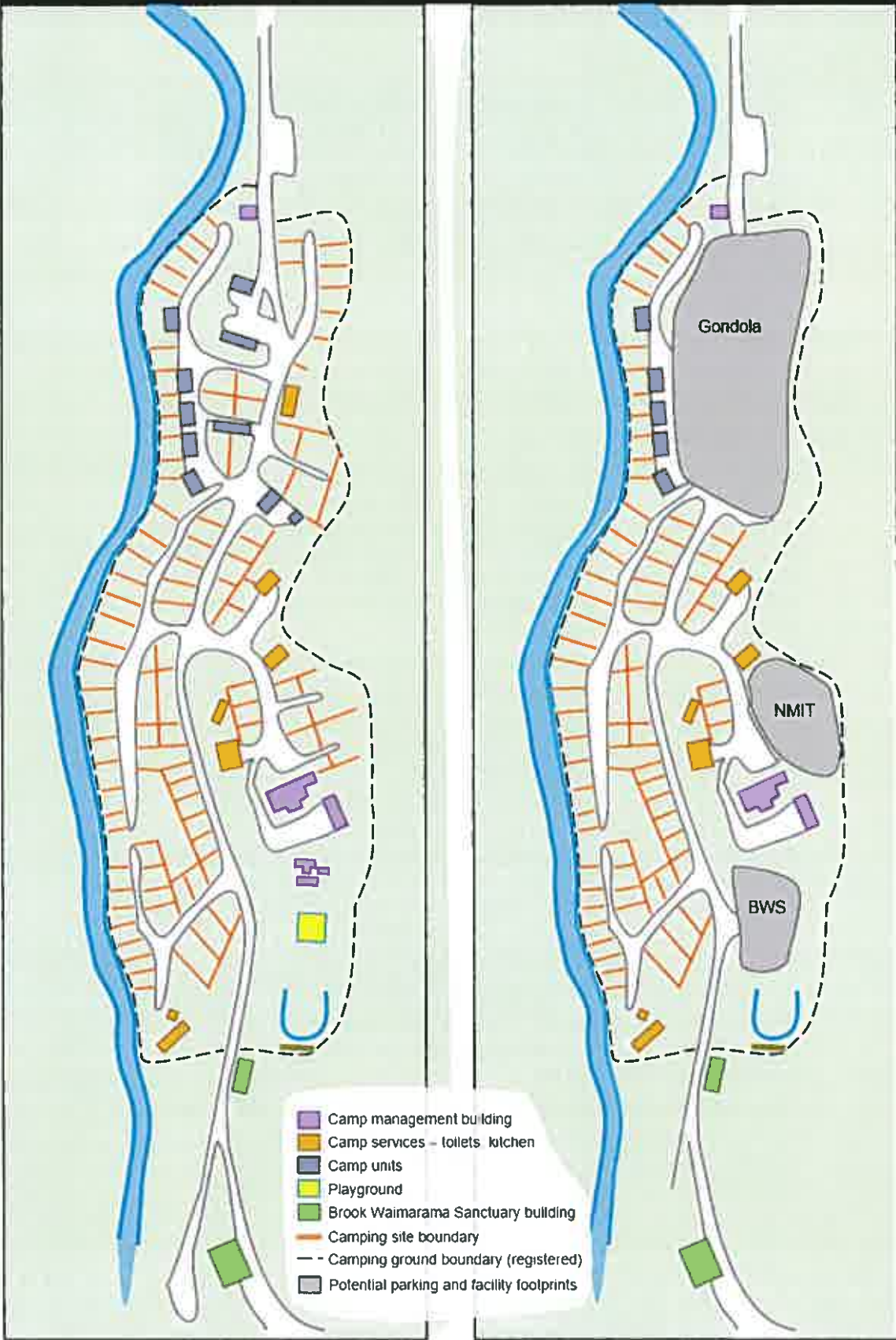
The gondola proposal could result in the occupation of a large area of level land within the Reserve for parking and buildings, including the base station. This area of occupation could be significantly reduced if parking was provided for off site. Approximately 3500m<sup>2</sup> of level area is available at the site of the existing – but closed – Brook Conservation Education Centre approximately 260m north of the existing camp gate. The gondola proposal would result in an additional 69 vehicles (138 movements) per day during the peak season (January) on Brook Street and 15 buses (3 movements).

Options relate to the degree to which the addition of the gondola to the Reserve would create an unacceptable increase in traffic on local streets, and the degree to which site occupation within the Reserve is acceptable.

Draft policies in Section 9.2 require a comprehensive development plan to consider options for new tourism or commercial recreation activities within a defined envelope.



Figure 25: Development footprints for parking and facilities – existing (left) and potential (right)





## 7.8 Land status and disposal

*Whilst it is sensible for the management plan to include all parts of the 'Brook Recreation Reserve' (as defined for this consultation), the different land tenures/classifications result in a more complex process, both for preparation of the management plan and administration of the land more generally. Council may therefore wish to consider formally gazetting the freehold land as recreation reserve to provide certainty of purpose and administration under the Reserves Act.*

Department of Conservation suggestion

### 7.8.1 Issues

Several issues and options have been identified through consultation about the preferred legal status of the Reserve. Currently it is held as both recreation reserve and freehold title.

There are several issues to consider

- Freehold land does not have a specified preferred use, as does a reserve under the Reserves Act, and it is easier to sell or to adopt a change in purpose – although the freehold land within the Reserve would be considered a 'park' under Section 138 of the Local Government Act 2002 (see Section 5.2 of this draft plan) and consultation would be required before it could be sold or leased long-term. Reserve status provides more long-term security for communities by identifying preferred land uses and further securing tenure.
- Under the Nelson Resource Management Plan, a management plan prepared for a recreation reserve may define permitted activities on that land (see Section 5.7 on page 38 of this draft plan). This allowance does not exist for freehold title, meaning that a consent must be sought for all aspects of any activity that is not permitted according to the underlying zone rules.
- Land gazetted under the Reserves Act may be leased according to specified restrictions and allowances under that Act, and this provides administering authorities with strong guidance and templates to follow. For recreation reserves, the allowances are quite broad and do not confine leases to only recreation purposes, and so do not restrain administrators too onerously. Freehold title may be leased on any legal commercial or non-commercial basis.
- The Reserves Act allows prosecution for various undesirable activities within a reserve. However, control of most activities on reserves and other public land is normally secured via comprehensive council bylaws prepared under the Local Government Act, and these are always required in addition to the prosecutions available under the Reserves Act.
- Prior to 2013, most of the actions controlled by the Reserves Act required the consent of the Minister of Conservation. With the general delegation by the Minister of many authorisations, this level of external control has been significantly reduced. Administering authorities now have more independent

determination as to the appropriate uses of reserves, although they must still comply with the Reserves Act.

The *NCC Conservation and Landscape Reserves Management Plan 2009* states as policy (6.3.3):

*Consider rationalising and divesting areas of land as needed, in particular around the entrance to the Brook Motor Camp and Brook Waimarama Sanctuary, if not required for reserve purposes*

This management plan will supersede that 2009 plan for the Reserve. Divesting such land if it was gazetted recreation reserve would be difficult. Regardless, this management plan indicates that there is a high level of demand for open space within the Reserve, and divestment of any land is not recommended.

The legal road which passes through the existing camp would require Council bylaws to manage its opening and closing if it is retained as legal road. Its location limits the ability to easily redevelop and relocate access through the Reserve, and it is problematic where it passes beyond the Reserve and to within the fenced area of the Brook Waimarama Sanctuary. Any camping or other recreation or commercial facility development would not be permitted on the road. For these reasons this management plan proposes formally stopping the road and changing its status to either freehold title or recreation reserve.

Section 41(3) of the Reserves Act 1977 requires that a reserve management plan provides for, "to the extent that the administering body's resources permit, the development, as appropriate, of the reserve for the purposes for which it is classified" and will incorporate and comply with the principles which underpin its gazetted classification – in this case a recreation reserve. However, as discussed this management plan covers land which is not yet gazetted, but which this draft plan recommends gazetting. This poses the potential problem that, subsequent to gazetting, this management plan could require re-advertising as a draft plan for the new recreation reserve areas. To avoid this outcome, this plan has been prepared in accordance with the purposes of a recreation reserve (as stated in section 17 of the Reserves Act) in compliance with section 41(3) of the Act for all components of the Reserve. If all the Reserve is gazetted, Council would apply section 41(5A) of the Act to adoption of this plan for any new areas of recreation reserve, whereby it would resolve that additional submissions would not "materially assist in its preparation". That is, the process of preparing this draft (and final) plan is considered sufficiently adequate to result in the approval of this plan for any areas subsequently gazetted as recreation reserve. In the meantime, submissions on this draft plan relate to both recreation reserve under the Reserves Act, and freehold land administered by Council under other legislation.

The core issue is, should the entire Reserve be gazetted as recreation reserve?<sup>30</sup>

#### **7.8.2 Consultation response**

Consultation indicates a preference to gazette the Reserve entirely as recreation reserve, including representation by the Department of Conservation.

<sup>30</sup> For the purposes of clarity, this question is posed as a matter of consultation under the Local Government Act and to advise Council planning processes and is not a planning process under the Reserves Act.

### 7.8.3 Options

The option remains to gazette the Reserve as recreation reserve. However, timing is an issue. If it is gazetted prior to agreement to a comprehensive development plan for the Reserve (based on the recommendations of this management plan), and this management plan permits a wide range of uses of the Reserve, the community may lose some rights of appeal under the Resource Management Act where all aspects of an activity would otherwise require a consent.

This draft management plan recommends gazetting the Reserve as recreation reserve in Section 9.3. This would mean that the Reserve would no longer have components defined as a 'park' under the Local Government Act 2002 (see Section 5.2 of this draft plan), but this would not diminish any level of protection or the need for consultation over major proposed changes in land use.

## 7.9 Site management and leasing

The Reserve has a multitude of expectations to deliver a variety of values. Its management has the potential to be a demanding task. Clarity of purpose, and surety of tenure for on-site users and lease-holders (should there be some), and for a management agency, are essential if the Reserve is to deliver on those expectations.

### 7.9.1 Issues

The consultation process for this management plan indicates that there is the potential for a variety of formal uses of the Reserve; the main four being the Brook Waimarama Sanctuary, the campground, the Brook Conservation Education Centre and the proposed gondola. There may also be other interests, such as cycle hire and a ropes course. However, the site requires one comprehensive development plan. It would be a challenge to create four or more separate leases for the site and, without the focused input of a single coordinating agency, expect those many leaseholders to easily adopt a cohesive development programme, considering the requirements for resource consents for some activities, different timing for on-site works; and potentially different expectations for levels of service and on-site supervision.

### 7.9.2 Consultation response

This issue was not a strong focus of written suggestions, but was raised in various conversations and meetings. While there was a general expectation that NCC was not, by nature, a campground management agency, comment was made that if the Council could manage a city, it should be able to deal with a campground. However, there has been quite strongly stated dissatisfaction by residential campers with Council's management since the lease to the managers of the Tahuna Beach Holiday Park was surrendered. Expressions of interest were received from several agencies to secure a lease to manage the campground during the consultation process for this draft plan.

### 7.9.3 Options

Several examples of different means of reserve management are available in the region

- The Kaiteriteri Recreation Reserve Board is appointed by the Minister of Conservation (the reserve is conservation land) to be the administering authority for the Kaiteriteri Recreation Reserve. The Board appoints and employs a manager for the reserve and campground, and administers leases to a variety of commercial operators, ensuring that these operators do not compete with the services offered by the Board. The Board maintains its own audited accounts and reports annually to the Minister, and operates according to a management plan prepared under the Reserves Act.
- Tahunanui Reserve (not a reserve under the Reserves Act, but administered according to a reserve management plan) has multiple leases and licences administered by the NCC. These include the Tahuna Beach Holiday Park which operates under a commercial lease held by Tahuna Beach Camp Incorporated – an Incorporated Society which has an exemption from paying income tax due to its role in 'promoting a city'. Other separate leases are held by, for example, a café, Natureland, the roller-skating rink, Nelson Society of Modellers and the

Tahunanui Fun Park, with licences to operate held by various food and refreshment concessionaires – all with different commercial and not-for-profit motives. The leaseholding areas are generally well separated and NCC has managed and implemented a development plan for all public areas according to the directives of the management plan.

- The Maitai Valley Motor Camp is located on NCC freehold title held for the purposes of a 'recreation ground'. The camp is leased to and operated by a private company – Maitai River Camp and Cabins Limited. The site is subject to the *NCC Esplanade and Foreshore Reserves Management Plan 2008*, which is silent about service delivery or recreation objectives within the motor camp, leaving all direction by NCC within only the commercial lease agreement and via registration of the motor camp under the Camping Grounds Regulations 1985 (as to levels of service)

The Brook Recreation Reserve differs from these examples due to its confined topography and scale, the potential close proximity of different activities, and reliance on one quite tight road access network. It would clearly be preferable for one agency to coordinate development on the site. The question is, who should this be? Options include

1. Administration of separate leases by the NCC as administering authority, with the NCC potentially retaining direct management of some activities, such as camping
2. The Reserve being administered by an independent board, as per the Kaiteriteri example, with the board managing leases to one or more agencies, but coordinating all development activities on the site, and potentially employing a reserve manager from lease income. The legal status of the board could be structured so as to allow fundraising from public sources (as per the activities of the Brook Waimarama Sanctuary Trust). This could result in there being two managers operating side-by-side – that of the Reserve, and the Brook Waimarama Sanctuary, as well as managers of other activities on site (such as a campground, although the board could choose to manage the campground directly, as at Kaiteriteri).
3. Leasing the Reserve – in part or in whole – to an existing or new agency which would gain control over the wider setting under the umbrella of one manager. Subleases, if required, would then be agreed by that agency and the NCC (assuming the lease mechanism required the agreement of the NCC as the administering authority). The agency would be responsible for finalising a comprehensive development plan for the Reserve.
4. The Reserve being leased by the NCC to one leaseholder made up of representatives of all agencies who are active on the Reserve. It would be incumbent on that agency to support and coordinate the activities of its members and to agree on a mutually advantageous development plan and programme.

In all cases, NCC would retain the requirement to approve a final development plan and any amendments to it, and the Reserve would be administered and developed according to this management plan. Council would also retain the role of processing any required resource consent applications.

Option 4 is possibly the most problematic, considering the potential for self-interest to stymie accord and the need to agree on members at any early stage. The other options depend on the interests of individual agencies, including the NCC, and the outcomes of consultation on this draft. Option 2 is recommended to be considered by this draft plan.

Reserve administration and management, and leasing, licences and fees, are considered in the draft policies in Sections 9.1 and 9.4 respectively.



### 7.10 Summary of options – are they all compatible?

This section of the draft plan describes a wide variety of options for the use, development and management of the Reserve. Several options are limited by land status and the need to gain resource consent. For example, this management plan cannot state that a gondola can be developed within the Reserve. It can only contemplate that it is either an appropriate use, or dismiss it as incompatible with existing and desired Reserve and community values. Even if it accepts the gondola as appropriate, it might not gain resource consent. For that reason, it is preferable to provide the option – to be tested through consultation on this draft – for the development of an undefined tourism or commercial recreation activity within a prescribed area within the Reserve.

Similarly, this plan grapples with the issue of residential camping. Residential camping has been permitted on the Reserve for several decades despite it being incompatible with a raft of regulations and rules. The most appropriate setting for a 'relocatable home park' within the Reserve (considering the need to visually separate it from other reserve uses and the location of grey water connections) turns out to be on land gifted to Council for purposes which do not include permanent or semi-permanent accommodation, and is partly within a Riparian Overlay which does not permit permanent structures other than fences. However, considering general community well being issues, it is likely to be appropriate to ensure current residential campers are provided for within the Reserve. This may result in some 'reverse sensitivity' issues if those campers find other potential developments on the Reserve to be incompatible with residential living on site. Compromise on the part of residential campers may be necessary if there is a desire for those other developments to proceed and for a relocatable home park to be provided.

Suggestions made during consultation included opinions that the gondola and Brook Conservation Education Centre were incompatible with other uses on site. Several suggestions stated that these developments were also incompatible with the Reserves Act, which is incorrect. Concerns appear to have been focused on whether a camping ground of any nature could co-exist with these facilities on-site, whether residential camping would be unpleasant due to the scale of development, and if the developments would result in unacceptable adverse effects on local residents as a result of additional traffic. Concerns were also expressed over the loss of open space values due to too much development on the Reserve.

The three main parties interested in developments on the Reserve – NMIT, the Brook Waimarama Sanctuary, and the Nelson Cycle Lift Society – are focused on retaining a camping option, as it is seen as beneficial to their activities. The question is whether this supports an option for residential camping, due to problems with securing a 'relocatable home park' on site and the degree to which residential campers wish to remain in what would become a more intensely developed and used setting.

This draft management plan proposes, for consultation, that the use of the Reserve for all the activities proposed is appropriate and compatible subject to

- Consultation on this draft management plan indicating a preference to develop the Reserve as a significant tourism hub for the region, and if this is the case, it would suggest that an appropriate tourism or commercial recreation development was appropriate.

- Further testing of the gondola concept – or other tourism or commercial recreation development – through a resource consent process; and
- Agreement on a comprehensive site development plan incorporating the recommendations made by the final version of this management plan, completed by the agency which has administrative control of the Reserve (as per the discussion in section 7.9) and by agreement with the NCC,
- Agreeing to long term management process for residential camping. This plan proposes a maximum life span for the activity, subject to ongoing reviews. In this case, the proposed maximum period is ten years, subject to a five-yearly review, and with no new camping residents accepted. This provides some certainty for existing residents, moves towards honouring the intent of the 1911 land gift to Council, and potentially allows for residential camping to continue beyond the ten year period if reviews show that there is minimal conflict with other Reserve activities (which may be a function of a reduction in the number of residents over time) and benefit to the Reserve and residential campers.

## 8 Visions

*Nelson Marlborough Institute of Technology recognises the Nelson City Council's undertaking for a comprehensive approach to planning for the potential uses for the Brook site and has identified the following key themes*

- Education
- Tourism / community / visitor activities
- Accommodation
- Public open space
- Conservation & science

NMIT suggestion

Two Visions are proposed for this draft management plan for the Reserve. Consultation will indicate preferences for each, or components of them. The Visions consider the five values identified in the suggestions of the Brook Waimarama Sanctuary and NMIT as it appears in the NMIT suggestion above. These are consistent with most suggestions received, although there is disagreement about how these themes might be achieved. Accordingly, there are degrees to which each theme can be achieved under each Vision. The key difference is in having additional tourism or commercial recreation services within the Reserve (which may or may not include the currently proposed gondola). Importantly, the preferred Vision will be realised through agreement on a comprehensive development plan which will be prepared under the direction of the final management plan and approved by the Reserve's administering authority.

Both Visions include provision for the Brook Waimarama Sanctuary and the Brook Conservation Education Centre.

### 8.1 Vision option 1

***The Brook Recreation Reserve is a significant destination for domestic and international visitors to Nelson and Tasman and operates as a tourism hub, while also serving the local community as an environmental education, outdoor recreation and conservation landmark.***

This option allows for the following main developments on the Reserve (subject to agreement on a comprehensive development plan)

- ✓ Facilities and services which support the activities of the Brook Waimarama Sanctuary,
- ✓ Facilities and services associated with the Brook Conservation Education Centre,
- ✓ An additional tourism or commercial recreation development envelope,
- ✓ Eureka Park,
- ✓ An upgraded commercial camping ground,
- ✓ Developments for casual local recreation opportunities and events, such as improved access to the Brook Stream and play and picnic facilities, and

- ✓ A relocatable home park

Management activities to support this Vision would include

- ✓ Stopping the legal road through the Reserve,
- ✓ Maintaining, as far as possible, the significant vegetation identified in Section 7 2,
- ✓ Adopting an appropriate management framework as discussed in Section 7 9,
- ✓ Gazetting the remaining freehold land as recreation reserve,
- ✓ A caveat on the area within the reserve allocated to parking and other facilities for tourism or commercial recreation to encourage use of alternative locations for parking and the sharing of resources with other facility providers on the Reserve. An allocation of 1500m<sup>2</sup> total ground coverage could be complemented by approximately 3500m<sup>2</sup> level land available at the old Brook Conservation Education Centre site, and
- ✓ An agreed comprehensive development plan.

## 8.2 Vision option 2

***The Brook Recreation Reserve provides environmental education, outdoor recreation and conservation services for the regional community, supporting the work of the Brook Waimarama Sanctuary Trust and providing a camping opportunity.***

This option allows for the following main developments on the Reserve (subject to agreement on a comprehensive development plan)

- ✓ Facilities and services which support the activities of the Brook Waimarama Sanctuary,
- ✓ Facilities and services associated with the Brook Conservation Education Centre,
- ✓ Eureka Park,
- ✓ An upgraded commercial camping ground,
- ✓ Developments for casual local recreation opportunities and events, such as improved access to the Brook Stream and play and picnic facilities, and
- ✓ A relocatable home park

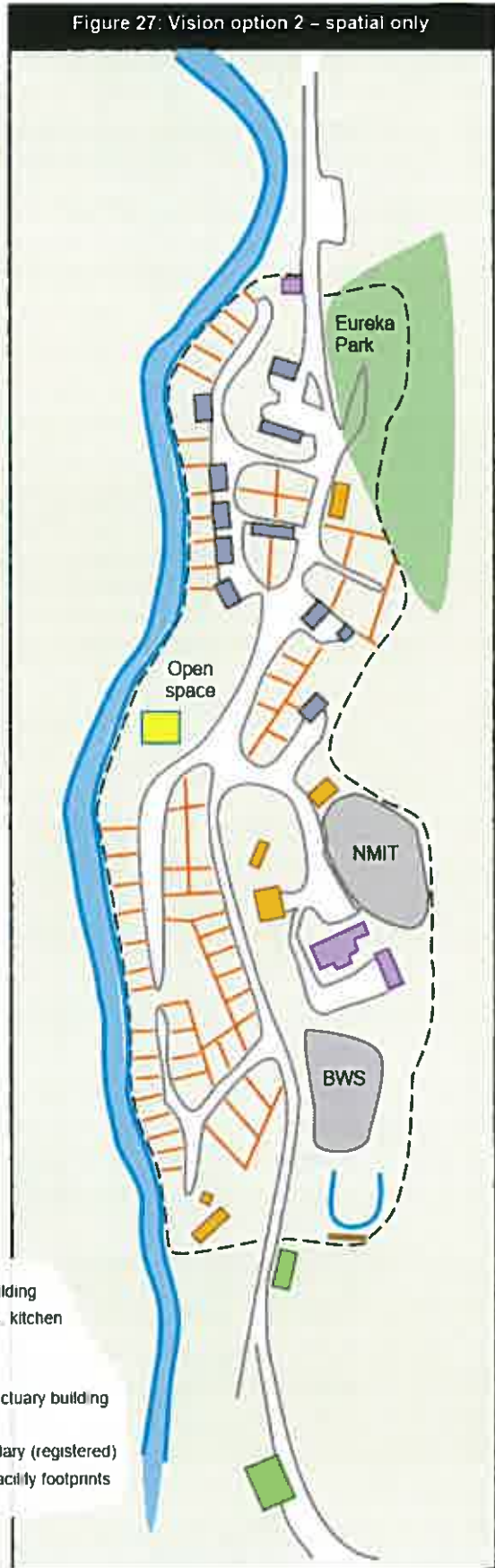
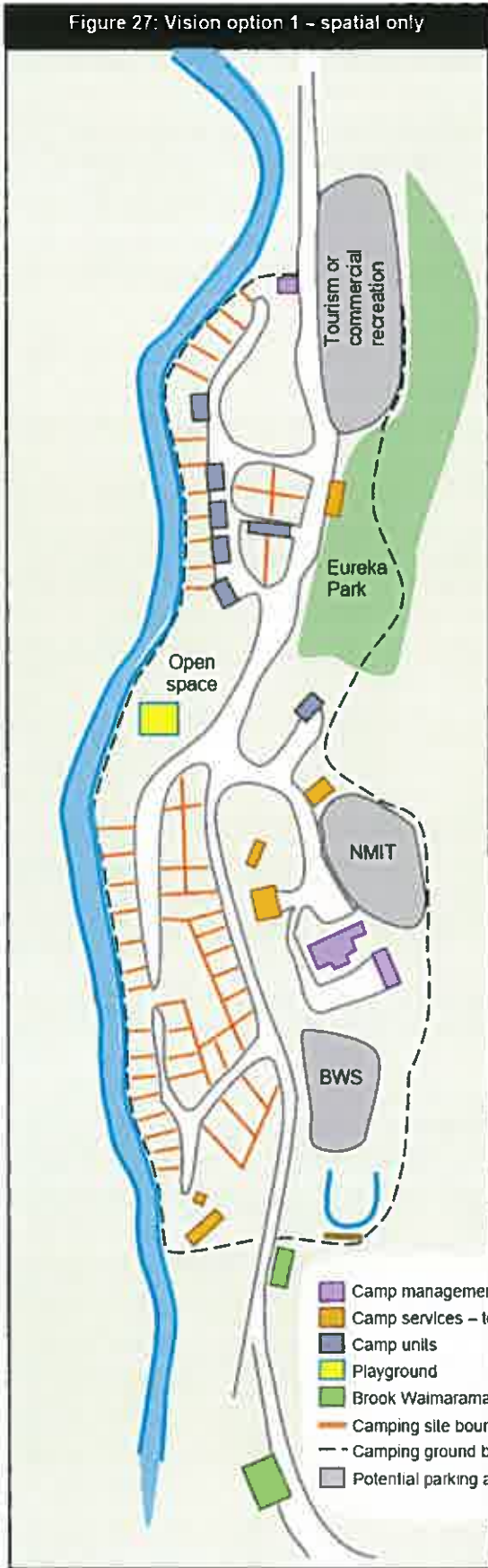
Management activities to support this Vision would include

- ✓ Stopping the legal road through the Reserve,
- ✓ Maintaining, as far as possible, the significant vegetation identified in Section 7 2,
- ✓ Adopting an appropriate management framework as discussed in Section 7 9,
- ✓ Gazetting the remaining freehold land as recreation reserve, and
- ✓ An agreed comprehensive development plan

## 8.3 Space allocation

Figure 27 and Figure 27 indicate a space allocation for each option. These are not recommended development plans or policies for development footprints, but shows the potential level of occupation of the Reserve for each possible main new use, and the

remaining space available for camping sites. Option 1 offers 55 camp sites and Option 2 offers 65. Approximately 100 sites are currently provided. A final development plan could maximise space allocation to increase this number, as well as reviewing the use of more cabins and potentially recommending an alternative roading network. An open space area for casual recreation, picnics and play is allocated adjacent to the Brook Stream, the steep bank of which would require work to enable easier access, if this development was desired. Camping sites are absent to the east of the main access road in Option 1 as the scale of development in this area would most likely be incompatible with camping.



- Camp management building
- Camp services - toilets, kitchen
- Camp units
- Playground
- Brook Waimarama Sanctuary building
- Camping site boundary
- Camping ground boundary (registered)
- Potential parking and facility footprints



## 9 Objectives and Policies

These draft policies – developed for consultation – take either: a particular stance on an issue considering feedback to date, or provide for all possible outcomes, allowing for submissions on this plan to recommend deletion or addition of specific provisions. The reason for the latter approach is because it may prove difficult to add missing provisions to the final management plan without additional consultation if they are not included in this draft and are not considered in consultation. Drivers for these and alternative policies are reviewed in Section 7 of this plan.

### 9.1 Reserve administration

Section 7.9 of this report considers options for management of the Reserve. This draft plan recommends the formation of a board to administer the Reserve. Notably, Section 38 of the Reserves Act permits an administering authority to control and manage land that is not a reserve; and although this management plan recommends gazettal of the Reserve, it is not a pre-requisite for the appointment of a board.

If this recommendation is not adopted (that is, the administering authority remains the NCC), the policies drafted in the following sections would be administered by the NCC. The term 'Board' is used only in this draft policy section and the term 'administering authority' (which could be a Board) is used elsewhere.

#### 9.1.1 Objective

To provide for streamlined and focused administration of the Reserve

#### 9.1.2 Policies

- 1) The Reserve will be administered by a Brook Recreation Reserve Board with delegated authority by the Minister of Conservation to be its administering authority under Section 30 of the Reserves Act
- 2) The Board will be appointed by the Minister subsequent to the publication of this management plan in final form
- 3) The Board will decide its operating procedures and legal status to best benefit funding, management and development of the Reserve as agreed with, and as directed by, the Minister.
- 4) The Board will include representation from, if available, the Nelson City Council, the Brook Waimarama Sanctuary, Nelson Marlborough Institute of Technology, iwi, an invited member of the local community, other interested parties with relevant specialist skills and representations, and – potentially – operators of other tourism or commercial recreation services provided within the Reserve
- 5) The Board may choose to employ a reserve manager, at an appropriate stage and if finances allow, or rely on the management of specific activities and services by lease and licence holders as directed by individual agreements
- 6) The Board may draft and seek approval for bylaws to control use of the Reserve under the Reserves Act, and/or adopt existing bylaws enforced by NCC

- 7) An occupation agreement will be developed in discussion between the administering authority and occupants of the proposed relocatable home park with reference to other such agreements administered by NCC, all relevant policies in this management plan, and to help secure this plan's agreed Vision. The administering authority will be responsible for formulating the final version of the occupation agreement, and compliance with it will be a requirement of occupation

## 9.2 Comprehensive development plan

The Reserve is subject to many demands for different activities, all of which have the potential to be complementary on site if they are located, designed and developed appropriately. Consultation on this draft management plan will define the activities to be provided for. Consequently, a development plan will need to be developed in accord with the final management plan and agreed upon by the administering authority (and the NCC if it is not the administering authority). For the purposes of this draft plan, all the potential requirements of a development plan are listed here. Individual items may be added to or removed subsequent to consultation.

### 9.2.1 Objective

To develop and agree on a comprehensive development plan for the Reserve prior to commencing any new works on the site and in accord with the directives of this management plan.

### 9.2.2 Policies

- 1) The development plan will be drafted by the administering authority with the assistance of NCC.
- 2) The development plan, and any subsequent amendments to it, must be approved prior to any works commencing or consents applied for, by NCC.
- 3) The development plan will form part of this management plan, once approved, for the purposes recognised by the Nelson Resource Management Plan.
- 4) The development plan shall provide for<sup>31</sup>
  - a) Facilities and services required to manage, operate and service the Brook Waimarama Sanctuary.
  - b) The relocation of the Brook Conservation Education Centre facilities and services to within the Reserve, including only those activities permitted by the resource consent held for the current location of the Centre.
  - c) Provision for a 1500m<sup>2</sup> footprint for tourism or commercial recreation developments in the north east of the Reserve, allowing for shared use of facilities in other parts of the Reserve (such as ticketing and administration).
  - d) Parking management provisions for drivers seeking parking spaces within the Reserve to reduce needless traffic activity, speed, and the parking of cars in inappropriate locations, and to create a pedestrian-friendly setting throughout the Reserve.
  - e) Off road pedestrian and cycle access to any parking spaces provided for Reserve visitors outside the Reserve.

<sup>31</sup> Some of these requirements are necessary under the NRMP, and there are additional requirements of the NRMP not mentioned, such as traffic turning circles, other roading and car parking needs. Those requirements which are repeated here are for consultation and clarity purposes and do not form an exhaustive list.

- f. Protection and interpretation of heritage features within the Reserve, including the Kidson memorial and reservoir, as well as the trout rearing ponds if they prove to be of any heritage value,
- g. Accessibility provisions for people with disabilities, including inclusive camping opportunities,
- h. Responses to flood, earthquake and other natural hazards on and near the Reserve,
- i. Capacity for shared use of existing and proposed built facilities by commercial and community agencies to minimise land coverage by structures, including the potential relocation of the camping ground office to near the Reserve entrance area, and its operation as a combined ticketing and information office, as well as alternative uses of the existing camping ground office and building,
- j. Walking tracks and information services for Eureka Park, developed in consultation with the promoters of that park,
- k. Cycle and walking tracks giving access to new and existing recreation routes to the east and south of the Reserve,
- l. A campground providing a minimum of 65 camping sites (or a number defined as sustainable by a business plan), including levels of service for toilets, kitchen facilities and other activities which comply with the Camping Ground Regulations 1985,
- m. A relocatable home park providing for a maximum of 25 sites designed to comply with the Camping Ground Regulations 1985 (see also Policies 9 6 2 and 9 7 2),
- n. Facilities and services to provide security and safety for campers and other Reserve users and facilities, developed in consultation with the NZ Fire Service and any other relevant emergency service provider,
- o. Retention of the landscape trees and woodland defined in the NRMP, and other vegetation identified in Section 7 2 of this plan, as far as is possible,
- p. Maintenance and improvement of the cultural health of the Reserve, primarily via managing for biodiversity and stream health in the Brook Stream,
- q. An area of open space suitable for general community recreational use, small community events, play facilities and picnicking, and providing easy access to the Brook Stream for play and environmental education purposes,
- r. Consideration of the effects of the implementation of the NRMP Enner Glynn and Upper Brook Valley Structure Plan (Figure 17 page 42),
- s. The allocation of space so that camping and other open public recreation areas are separated, as much as possible, from potentially busy commercial activities and built visitor services,

- t A redeveloped roading network to suit the uses described above, providing for pedestrian, cycle, car and bus access, and emergency evacuation,
  - u Other requirements of the NRMP and applicable legislation
- 5) The development plan shall include contingencies and alternatives should major activities requiring resource consent not gain consent, such as proposed or other tourism and commercial recreation activities.

### 9.3 Reserve land status, acquisition and disposal

Consultation indicates a desire to gazette the Reserve as recreation reserve. This draft management plan adopts that policy. There is no rationale for disposing of any lands within the Reserve. There may be potential to expand the Reserve should the opportunity arise and demand exist.

#### 9.3.1 Objective

To size and manage the Reserve within an appropriate statutory framework and one which gives clear direction as to Reserve development and the control of leases and licences, and to secure public ownership of the Reserve in perpetuity.

#### 9.3.2 Policies

- 1) The Reserve, as defined in this management plan, will be gazetted as recreation reserve under the Reserves Act 1977, noting that this may require subdivision of Lot 2 (see Figure 6 page 18), or the gazetting of all of Lot 2 as recreation reserve. Section 47 and Section 9 will require subdivision as their areas outside the Reserve are already leased to the Brook Waimarama Sanctuary and have an alternative purpose.
- 2) Land disposal shall not be pursued for any area within the Reserve,
- 3) Land acquisition on neighbouring properties will be considered on a willing buyer / willing seller basis (that is, no designations will be sought) if additional land is required,
- 4) An application to stop the legal road passing through the Reserve will be made by the administering authority of the Reserve to NCC. The stopped road will revert to recreation reserve under the Reserves Act, thereby maintaining public recreation values and access in accordance with this management plan.



#### 9.4 Leases, licences, permits and fees

The provision for leases and licences will be fundamental to the operation of the Reserve. These may include a lease, licence or permit granted under section 59A of the Reserves Act 1977 to carry out an activity in the Reserve that generally involves a commercial component or some form of temporary or fixed occupation. These activities include, but are not limited to: transport services, commercial education or instruction services, commercial guiding, commercial attractions and services, filming, commercial hunting, trading or operating a business, building or occupying a structure, easements; or occupation of land. An organised group does not require a concession if there is no commercial arrangement with participants, including where a club might charge membership fees or a fee to cover costs.

##### 9.4.1 Objectives

To allow for and control leases, licences and permits within the Reserve according to the Reserves Act 1977 (whether the reserve is entirely gazetted or not) to help achieve the Vision for the Reserve as efficiently, and with as much certainty, as possible.

##### 9.4.2 Policies

- 1) The administering authority may choose to issue leases, licences and permits, and to charge fees, for activities in the Reserve to achieve the Vision for the Reserve, in accordance with this management plan, the Reserves Act, the NRMP and other relevant legislation.
- 2) The administering authority may not grant easements or rights-of-way under Section 48 of the Reserves Act, or any other legislation, without the approval of NCC.
- 3) The administering authority may choose to manage certain activities in the Reserve directly and is not bound to operate public and commercial services via lease, licence or permit only.
- 4) Leases, licences and permits will not be issued for activities and services which are considered to compete with existing commercial or community activities within the Reserve or on adjacent public lands, or with activities provided directly by the administering authority. This policy will not apply to temporary food vending services active during events.
- 5) Applications for permits for temporary and short-term activities in the Reserve (whether community, non-commercial or commercial) must be applied for at least two months before the activity or event and will be processed rapidly and not refused without good reason, but will be issued only where the activity complements Reserve values and has little or no conflict with existing uses and users.
- 6) The administering authority will set prices for leases, licences, permits and fees with consideration of
  - a) the funding needs of the Reserve,
  - b) the costs of administering and servicing any agreement,
  - c) standard commercial rates, and

- d. the need to support the viability of a service where there is community benefit.
- 7) The administering authority may choose to not charge for permits where there is community benefit from the activity.
- 8) Income from leases, licences, permits and fees will be applied by the administering authority (if it is not the NCC) to only the operation, management and development of the Reserve, any other use of funds will be subject to the approval of NCC.
- 9) The fees for permanent campers will be based on the fee-rate existing when this management plan is adopted, with annual increases based on the Consumers Price Index (CPI), until such time that a comprehensive development plan is agreed and the administering authority has a business plan in place, at which time fees will be set considering commercial rates and the costs of service provision, in consultation with the NCC.

## 9.5 Restricted reserve access or closure

The co-location of a camping ground with public open space for recreation and events and a variety of other commercial and educational services, as well as residential campers, poses some problems for managing access and security.

Residential and casual campers can provide some surveillance of the Reserve at all hours, but they cannot be expected to function as a full-time professional security team.

The provision of a commercial camping ground will require the presence of an onsite camp manager, and this person, or other responsible representative of the administering authority, must have the ability to close parts or all of the Reserve from time to time, and to trespass individuals or groups from the site. Trespass rules need not be written as a bylaw or policy, as they function under the Trespass Act 1980 and recourse to this Act will always be available to the Reserve's administering authority. Policies here will allow for the containment of activities within parts of the Reserve, closure at specific times, and the provision of access for only certain people (such as campers and staff) at certain times.

The Reserves Act specifies in its Section 53 a number of opportunities for, and limits to, restrictions on public access within a recreation reserve. It also allows the administering authority to (53(1)(o)) "do such other things as may be considered desirable or necessary for the proper and beneficial management, administration, and control of the reserve." With this and the other provisions of Section 53 of the Reserves Act in mind, this management plan proposes the following objective and policies.

### 9.5.1 Objective

To allow the closure of parts or all of the Reserve to general public access from time to time for the safety of Reserve users, the security of Reserve assets, for management purposes and at times of risk to other Reserve values.

### 9.5.2 Policies

- 1) The administering authority will define opening hours and access to the general public, from time-to-time, for all or parts of the Reserve, with consideration for:
  - a. The needs to provide security and ease of access for campers,
  - b. The need to provide access for other permitted activities within the Reserve,
  - c. The needs to secure private and commercial assets and belongings, and
  - d. Other risks to property or people, including those caused by natural events, construction activities, managed events and management activities.
- 2) Public access to areas within the Reserve that are defined and developed for general public recreation, including walking and cycling, will not be unduly restricted during daylight hours.
- 3) Reserve opening hours (for those other than campers and those engaged in Reserve management activities), and access restrictions required from time to time, will be advertised at the Reserve entry and via NCC community communication methods.

- 4) Camping areas will be defined and located in such a manner that access to them by the general public is discouraged.
- 5) Control gates for vehicle access to the Reserve may be installed and operated.
- 6) Other security measures may be installed and implemented at the administering authority's discretion.
- 7) Access to the Reserve by individual residential campers shall only be refused when agreed terms of occupation have not been complied with (in which case a written trespass notice may be issued), during natural disasters and emergencies as defined by the administering authority or a disaster coordination authority, or when other policies in this management plan relating to the lifespan of the relocatable home park come into effect.

## 9.6 Activities permitted on the Reserve

The Reserve has a variety of public use values which need to be provided for, although they may not require the development of new infrastructure

### 9.6.1 Objective

The administering authority of the Reserve will make provision for certain uses of the Reserve which are in addition to those specified to be included in the comprehensive development plan (as detailed in policy Section 9.2) where they do not compromise the primary uses of the Reserve or its natural or cultural values.

### 9.6.2 Policies

- 1) Activities agreed through the comprehensive development plan and listed in Section 9.2 will be permitted within the Reserve subject to controls identified elsewhere in this management plan and identified as necessary by the administering authority from time to time
- 2) The administering authority will also allow, subject to notification (unless specified otherwise) by interested parties, and where they do not compromise or pose risk to the Reserve's environmental, cultural, heritage and social values, and occur within prescribed times (unless specified otherwise – see Policies 9.5.2) the following activities:
  - a. Tāngata whenua iwi fulfilling their role as kaitiaki of the Reserve's natural and Maori cultural values, and providing for the customary use of traditional materials and indigenous species, and cultural practices, in the Reserve by tāngata whenua iwi (in accordance with the Reserves Act),
  - b. Research and monitoring of social, environmental, heritage and cultural values of the Reserve by recognised research agencies and authorities,
  - c. Access to the Reserve by social welfare, public health agencies and emergency services at all hours and without notification (noting that these agencies have certain rights of access regardless),
  - d. Access to the Reserve by mobility assistance dogs without notification,
  - e. The temporary presence of dogs, horses and other livestock only if they are associated with a permitted event of a specified duration and where controls on their activities are defined,
  - f. Conservative and pro-active arboricultural practices to manage the risk to Reserve users posed by potential tree and limb fall, particularly near camping sites where users have little protection and relatively long exposure
- 3) Residential camping within a relocatable home park as defined by, and compliant with, the Camping Ground Regulations 1985, will be permitted subject to
  - a. Provision for a maximum of 25 sites in, preferably, one area of the Reserve, based around Fantail Glades.

- b. Consideration of the specific and individual needs of residential campers (without overly compromising the potential to use and develop the Reserve as otherwise anticipated by this management plan),
- c. Provision for a period of 10 years (up to 2026) with a review of provision in 2021 and in 2026. (The Reserves Act requires that this management plan also be reviewed at least every 10 years ) See also Policies 9.7.2



## 9.7 Activities not permitted on the Reserve

The Reserve is a confined space and has the potential to be intensely used for a variety of activities. As a result, restrictions on certain activities will be required to maintain its environmental, cultural, heritage and social values. The Reserves Act (section 94) enables the enforcement of certain restrictions, such as the destruction of vegetation, the lighting of fires outside defined areas, and littering. These policies are in addition to those, and in most cases are additional to those in Council's *Urban Environments Bylaw 2015*, and are specific to the Reserve. They will require enforcement via a reserve bylaw prepared by the administering authority under Section 65 of the Reserves Act.

A ceiling for the number of residential campers in the relocatable home park is proposed, along with a means by which 'existing' residential campers can be identified, considering that some occupy the camping ground for only part of each year.

### 9.7.1 Objective

To limit the potential for adverse effects on Reserve values by restricting certain activities.

### 9.7.2 Policies

- 1) The following activities and things will not be permitted within the Reserve, in addition to the restrictions which apply under the Reserves Act.
  - a Pets and other domestic animals unless provided for under Policies 9.6.
  - b Occupation by residential campers within the defined relocatable home park (see Policies 9.6.2) or elsewhere within the Reserve who were not occupants at the release of the final version of this management plan or who have been resident (that is, living on site) within the Reserve for less than nine months in the 12 months prior.
  - c Continued occupation by residential campers who are resident (living on-site) within the Reserve for less than nine months over any 12 month period.
  - d Occupation by residential campers within Reserve who have not signed and agreed to the terms of an occupation agreement (see 9.1.2 (7)), and any activities proscribed by that agreement.
  - e Occupation by residential campers in a relocatable home park or elsewhere within the Reserve after 2026, unless reviews in 2021 and 2026 indicate that this activity should continue and is of benefit to the management and use of the Reserve and to residential campers.
  - f The occupation of the relocatable home park by more than 25 residents.
  - g The scattering of human or pet ashes or other remains within the Reserve.
  - h Hunting, fishing, fossicking, rock-hounding and firewood gathering unless provided for under policies in Section 9.6.
  - i The mounting or installation of any memorial unless permitted by the administering authority.

- j The use of model airplanes, drones and other motorised model craft unless associated with a permitted event or required for reserve management purposes.
- k Activities which generate noise that may disturb the peaceful enjoyment of the Reserve and which do not benefit its management, maintenance and development.
- l The lighting of any fires in any location.
- m Commercial activities unless operating under an agreed lease, licence or permit issued by the administering authority.
- n Community or competitive sporting activities unless permitted by the administering authority.
- o Public and private utility services unless required for the functioning of the Reserve or where they are unable to be located off the Reserve, and provide important community benefits.
- p The charging of fees to the public for any activity within the Reserve unless agreed within a lease, licence or permit or as result of a service provided by the administering authority.
- q The use of private vehicles in any area of the Reserve not defined for that use.
- r The installation of signs and information panels that do not conform to a standardised design template approved by the administering authority.
- s The installation of any commercial advertising or sponsorship signs without the written approval of the administering authority.
- t Other activities that the administering authority considers inappropriate and which can be included in a reserve bylaw under Section 65 of the Reserves Act 1977 and approved by the Minister of Conservation.

**Appendix 1: Titles included in this management plan**

Figure 6 (page 18) location	Title reference		Area included in this plan	Area excluded from this plan
<b>Sec 47</b>	Section 47 Brook Street And Maitai District	Sec 47 – Recreation Reserve	Some	Area leased to Brook Waimarama Sanctuary
<b>Lot 53</b>	Lot 53 Deposited Plan 210	NL29/102	Some	Area leased to Brook Waimarama Sanctuary (tiny bit)
<b>Immediately south of Lot 1</b>	Part Section 9 District of Brook Street and Maitai	CT 53911 – was part of NL28/296	All	None
<b>Lot 1</b>	Lot 1 Deposited Plan 5496	NL133/27	All	None
<b>Lot 49</b>	Allotment 49 Deposited Plan 210	NL34/283	All	None
<b>Sec 9 west of Lot 49</b>	Part Section 9 and Part Section 3 of 8, 41 District of Brook Street And Maitai and Part Section XI District of Suburban South and Defined On Deposited Plan 2634	NL81/54	Some	Area leased to Brook Waimarama Sanctuary
<b>Sec 9 south of Lot 49</b>	Part Section 9 District of Brook Street and Maitai	Part Sec 9 on NL69/288 (same title as below)	Some	Area leased to Brook Waimarama Sanctuary
<b>Sec 41 west of Sec 9</b>	Not included in this plan – but registered on the same title as 9a. Included here for clarity		None	All
<b>Lot 2</b>	Lot 2 Deposited Plan 764	NL43/244	Area zoned Open Space in NRMP	Area not zoned Open Space in NRMP
<b>North-west of Lot 1 – Brook Stream bed mostly</b>	Parcel 6545237	No title	All	None
<b>Legal road</b>	No title		From northern end of Lot 1 (camp entrance) to Sanctuary lease area	Area adjacent to that leased to Brook Waimarama Sanctuary (although proposed closure of road area within the Reserve would include this portion of road)

**Appendix 2: 30m Riparian Overlay**







### Appendix 3: Traffic analysis

This appendix provides the base data for the summary of traffic effects provided in section 7.7 on page 70

NCLS = Nelson Cycle Lift Society (gondola)

BWS = Brook Waimarama Sanctuary

NMIT = Nelson Marlborough Institute of Technology, Brook Conservation Education Centre

#### Demand and transport mode projections, year 1

NCLS	Domestic	Local	International	Education	Totals
Visitors pa	14,400	9,200	14,000	5,000	42,600
% bike or walk	5%	30%	5%	5%	
% Nbus	5%	5%	5%	5%	
% bus / van / coach	0	0	10%	85%	
% private car	90%	65%	80%	5%	
pax per car	2.5	2.5	2	4	
pax per bus / van / coach	0	0	20	20	
Bus pa exc Nbus	0	0	70	213	283
Cars pa	5,184	2,392	5,600	62.5	13,239
Cycles pa	720	2,760	700	250	4,430

BWS	Domestic	Local	International	Education	Totals
Visitors pa	11,000	7,000	11,000	4,000	33,000
% bike or walk	5%	20%	5%	5%	
% Nbus	5%	5%	5%	5%	
% bus / van / coach	0%	0%	10%	85%	
% private car	90%	75%	80%	5%	
pax per car	2.5	2.5	2	4	
pax per bus / van / coach	0	0	20	20	
Bus pa exc Nbus	0	0	55	170	225
Cars pa	3,960	2,100	4,400	50	10,510
Cycles pa	550	1,400	550	200	2,700

NMIT	Ranger	Other ed	Seminar		Totals
Visitors pa	30	1,000	1,000		2,030
% bike or walk	15%	15%	5%		
% Nbus	50%	30%	5%		
% bus / van / coach		10%	10%		
% private car	35%	45%	80%		
pax per car	1.5	2.5	2		
pax per bus / van / coach			20		
Bus pa exc Nbus	0	40	5		45
Cars pa	1,400	180	400		1,980
Cycles pa	900	150	50		1,100



**Vehicles by month (double these figures for movements)**

Patronage by month, based on Commercial Accommodation Monitor Data for Nelson for 2014

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
NCLS	16%	11%	10%	8%	6%	5%	6%	5%	5%	7%	8%	12%
BWS	16%	11%	10%	8%	6%	5%	6%	5%	5%	7%	8%	12%
NMIT	8%	8%	8%	8%	8%	8%	8%	8%	8%	8%	8%	8%

**Cars per month**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
NCLS	2,142	1,448	1,345	1,120	827	643	751	635	725	850	1,112	1,380
BWS	1,701	1,149	1,068	889	657	510	606	504	576	713	883	1,255
NMIT	164	164	164	164	164	164	164	164	164	164	164	164
Total	4,007	2,761	2,576	2,174	1,648	1,318	1,533	1,304	1,465	1,776	2,159	2,999

**Buses per month**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
NCLS	46	31	29	24	18	14	16	14	15	19	24	34
BWS	36	25	23	19	14	11	13	11	12	15	19	27
NMIT	4	4	4	4	4	4	4	4	4	4	4	4
Total	86	59	55	47	35	28	33	28	32	38	46	64

**Average vehicles by day by month (double these figures for movements)****Average cars per day**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
NCLS	69	52	43	37	27	21	25	20	24	29	37	51
BWS	55	41	34	30	21	17	20	16	19	23	29	40
NMIT	5.3	5.9	5.3	5.5	5.3	5.5	5.3	5.3	5.5	5.3	5.5	5.3
Total	129	99	83	72	53	44	49	42	49	57	72	97

**Average buses per day**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
NCLS	1.47	1.10	0.93	0.80	0.57	0.46	0.53	0.44	0.52	0.62	0.79	1.09
BWS	1.17	0.88	0.74	0.63	0.45	0.36	0.42	0.35	0.41	0.49	0.63	0.87
NMIT	0.12	0.13	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12
Total	2.77	2.12	1.78	1.56	1.14	0.95	1.06	0.91	1.05	1.23	1.55	2.07

## Movements per hour for peak month (January)

Hour of day (beginning)	Existing hourly movements Brook and Westbrook Streets 7 day average Nov '14		Existing + BWS + NMIT = Base	Gondola potential additional	
				Cars	Buses
24:00	14	<1%	14	0.5	0.0
1:00	9	<1%	9	0.4	0.0
2:00	7	<1%	7	0.3	0.0
3:00	10	<1%	10	0.3	0.0
4:00	9	<1%	9	0.1	0.0
5:00	27	1%	28	0.4	0.0
6:00	69	2%	71	0.7	0.0
7:00	195	5%	200	3.1	0.1
8:00	295	7%	303	5.3	0.1
9:00	252	6%	259	6.9	0.1
10:00	251	6%	258	7.3	0.2
11:00	280	7%	287	9.1	0.2
12:00	326	8%	335	10.7	0.2
13:00	311	7%	319	10.1	0.2
14:00	317	7%	326	9.8	0.2
15:00	364	8%	374	13.4	0.3
16:00	363	8%	373	13.7	0.3
17:00	392	9%	403	15.9	0.3
18:00	271	6%	279	9.7	0.2
19:00	208	5%	214	7.4	0.2
20:00	148	3%	152	5.7	0.1
21:00	100	2%	102	4.2	0.1
22:00	58	1%	59	2.1	0.0
23:00	25	1%	25	1.1	0.0
<b>Totals</b>	<b>4297</b>	<b>100%</b>	<b>4417</b>	<b>138</b>	<b>3</b>

