

RMA/2014/116 - Report Back To Judicial Committee on Development Contributions for 174 Vista Paku, Pauanui.

TO Judicial Committee
FROM Michael Eastwood - Policy Analyst - Development Contributions
DATE 2 June 2015
SUBJECT **RMA/2014/116-Report Back to Judicial Committee on Development Contributions for 174 Vista Paku, Pauanui.**

1 Purpose of Report

To report back to the Judicial Committee on the development contributions required on a commercial accommodation development at 174 Vista Paku, Pauanui as directed by Judicial Committee resolution 2.2 at the hearing held on 17 October 2014.

2 Background

On 17 October 2014 RMA/2014/116 - Special assessment of development contributions - 174 Vista Paku, Pauanui (**Attachment A**), was presented to the Judicial committee to determine the development contributions required on a commercial accommodation development at 174 Vista Paku, Pauanui. The primary source of concern revolved around the creation of 8 campervan sites within the property.

At the meeting, the Committee raised concerns in relation to the self-containment of campervans and the use of the site by vehicles which are not self-contained, such as those from Juicy rentals.

The Committee resolved that;

The Judicial Committee:

- 1. Defers a decision on the special assessment of development contributions for 174 Vista Paku, Pauanui till the 4th December 2014 meeting to allow staff to clarify details of the proposal with the applicant.*

After the Judicial Committee hearing, the applicant conveyed their intention to limit their land use consent application to the 8 campervan sites only.

Assessment of development contributions

The Development Contributions Policy effective from 1 July 2012 requires contributions on campground developments to be determined using a special assessment. On 28 February 2013 the Judicial Committee approved a template for the assessment of campgrounds. This compares campground accommodation such as tent and campervan sites with private dwellings and includes adjustments relating to occupancy, guest numbers and water/wastewater usage adjustments to recognise differences in demand on infrastructure generated by campground accommodation compared with private dwellings.

The proposed development now only includes eight campervan sites, and these have been assessed using the template methodology. Using the multiplier in the approved template, eight campervan sites are reduced to 3.257 additional units of demand or approximately 40.7% of a residential household lot taking into account the seasonal nature of camping accommodation.

The assessment shows that contributions of \$7,962.56 per site excluding GST equating to \$63,700.48 In addition to this reserves contributions are also payable. (**Attachment B**). Under the development contributions policy, the development contributions levy that is applicable is the one that is in force at the time of granting the consent.

Activity	Units of demand	Contribution
8 campervan sites	3.257	\$63,700.48
Total (ex GST)	3.257	\$63,700.48

3 Issue

In the previous report to the Judicial Committee, the following was determined to be the primary issues surrounding development contributions in the Resource Consent application.

The applicant has requested that special consideration be given to a number of aspects in relation to this assessment. Their views were included in two emails sent to Council staff and can be summarised as follows:

- a) *The applicant may proceed with the land use component of this consent quite quickly but the subdivision component (unit titling) is a long term project and may be some time off.*
- b) *The applicant may be willing to include an added restriction on the certificates of title for the one bedroom units to prevent an increase in size of the accommodation unit, if contributions can be reduced to half a unit of demand.*
- c) *Council publications make no mention of a development contribution being payable for a campervan park and the methodology is not explicit.*
- d) *Other sites provide campervan parks for which development contributions have not been required. These include the Pauanui Club, Pauanui Waterways and the Campervan Cruz'n'Stop in Mary Street Thames.*
- e) *Campervans are mobile and will use facilities in any of the towns or villages within the District and therefore a fixed district-wide contribution should be applied. This should take into account variation of charges in water and wastewater between settlements.*
- f) *The assessment should take into account that most campervans have holding tanks for water and wastewater.*

Given further correspondence with the applicant that the consent will be amended and will now only relate to the eight campervan sites, we can reduce these issues to the following:

- a) Council publications make no mention of a development contribution being payable for a campervan park and the methodology is not explicit.

- b) Other sites provide campervan parks for which development contributions have not been required. These include the Pauanui Club, Pauanui Waterways and the Campervan Cruz'n'Stop in Mary Street Thames.
- c) Campervans are mobile and will use facilities in any of the towns or villages within the District and therefore a fixed district-wide contribution should be applied. This should take into account variation of charges in water and wastewater between settlements.
- d) The assessment should take into account that most campervans have holding tanks for water and wastewater.

The special assessment presented to the Judicial Committee on the 17th October 2014 answered the first three of these issues (ref pages 4-5) however the fourth issue was unclear and needed further consideration.

4 Discussion

1. Is there an appropriate way of monitoring water and waste water usage to allow Council to determine what would be an appropriate levy to impose on a development that only caters to self-contained campervans?

Council officers have spent a great deal of time considering the question, is there some reasonable mechanism to determine a discount of the development contribution on camp sites that would cater solely to self-contained campervans as it relates to the need for additional capacity or the additional demand on infrastructure the site would create.

Officers sought advice on the matter from specialists, including infrastructure, legal and compliance staff and with the members of the development contributions working group (DCWG) which is made up of most of the local authorities and other related parties with an interest in development contributions. In addition a request for comment was issued to all Councils throughout the country on this particular topic.

However, despite the enquiries and as far as we can ascertain, no other local authority has even considered this issue. The responses received centred around our own concerns on this issue. In particular

- 1. Being able to identify a suitable mechanism of differentiating between a tent site and a campervan site; and,
- 2. Identifying an effective method of monitoring and enforcing the sites to ensure that only self-contained campervans parked there.

Therefore we need to make a determination based on the facts as presented.

2. What is considered a self-contained campervan?

The rules surrounding the certification of self-contained campervans are set out in ***New Zealand Standard 5465:2001***.

A common misconception is that a self-contained campervan would be fitted out and in the general configuration as set out in ***figure 1*** below with toilet and shower contained within it's own cubicle and separated from the main living area, however ***figure 2*** below would also be perfectly compliant with NZS 5465:2001 even though the toilet may sit outside the campervan or is portable type with a cassette containment unit (not plumbed in), which may no longer be accessible when the campervan is set up for sleeping.

Both campervans fig 1 and fig 2 are rated for 4 people (upstairs sleeping accommodation not shown) and from the exterior look similar in design. **Figure 3** shows a campervan that would not be self-contained but may satisfy the requirements of the standard if a portable type cassette or bucket toilet were added (so long as these complied with the holding requirements of the standard).

Fig.1



Fig. 2

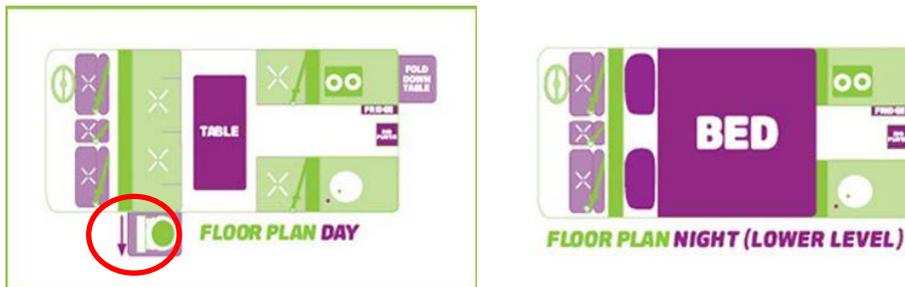
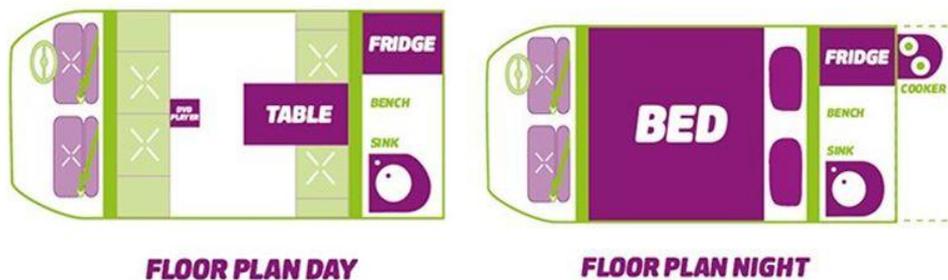


Fig.3



The New Zealand Standard (NZS5465:2001) sets the minimum standards as

- A water supply tank or tanks having a capacity of not less than 4L per day for each person per day for not less than 3 days (this does not have to be permanently connected)
- A sink and waste water tank which is no less than the minimum water supply tank capacity as mentioned above.
- A toilet system that shall provide sufficient waste holding capacity for the occupants for a minimum of 3 days. Minimum capacity required per person is 1 litre per day.

3. Is it reasonable to assume that self-contained campervans would create less demand on infrastructure than campervans without in-built facilities or indeed tents?

Campervans, self-contained or otherwise, cannot be considered a development on their own as they do not satisfy the requirements of a development under the Local Government Act. It is the site provided to accommodate the campervans and allow access to Council services that will create the additional demand on infrastructure and attract the development contribution on application for Resource consent, Building consent, Certificate of acceptance or request for service connection.

For a visitor to want to pay for a campervan site, they must obtain some benefit in return. One of those benefits must be access to the on-site facilities and ablution blocks. The question is then, why would a visitor pay for, amongst other things access to an ablution block and then use the limited water supplies, facilities and waste capacity on board.

Given that an upgraded ablutions block is part of the resource consent for the use of the campervan sites, it seems reasonable that those paying to use the site would make use of the facilities provided to them over and above the limited supplies and capacities that would be available on-board. It is reasonable therefore to conclude that campervans occupying the sites would create essentially the same level of demand as any other campsite user.

5 Suggested Resolution(s)

That the Judicial Committee:

1. Receives the report.
2. Determines that development contributions of \$63,700.48 plus reserves plus GST are payable on this consent based on the special assessment provided in this report.

References-Tabled/Agenda Attachments

Attachment A *RMA/2014/116 - Special Assessment for Development Contributions - 174 Vista Paku, Pauanui*

Attachment B *Assessment of Development Contributions - 174 Vista Paku, Pauanui*

Attachment A

[Attachment A -Report JC - RMA20140116 174 Vista Paku](#)

Attachment B

Attachment B Special Assessment 174 Vista Paku, Pauanui RMA2014 116