

Williamson Park resource consent application and policy on use of park

TO Whangamata Community Board
FROM Angela Jane - Group Manager Governance and Strategy
DATE 8 April 2018
SUBJECT **Williamson Park resource consent application and policy on use of park**

1 Purpose of report

The purpose of the report is to present the resource consent application for events on Williamson Park for approval to lodge and present a draft policy on the use of Williamson Park for consideration and feedback.

2 Background

The Whangamata Community Board has been considering the content of a 15 year resource consent application for the past year to allow events and festivals to continue to be held on Williamson Park. The Council's new District Plan includes rules that require events in the recreation passive zone with over 500 people attending to apply for a resource consent to control the effects on the living environment.

On 7 November 2017 the Whangamata Community Board made the following resolution:

68/17 **Resolved**
WCB *That the Whangamata Community Board:*

1. *Receives the 'Williamson Park resource consent' report, dated 29 October 2017; and*
2. *Recommends to the Council that the resource consenting costs associated with local reserves for existing community events and concerts be funded from the district on the basis that the District Plan rule changes brought about the need for the expenditure; and*
3. *Recommends a budget of \$30,000 for the Williamson Park notified 15 year event resource consent application process to be funded from a district budget but in the event that district funding is declined from the Whangamata Retained Earnings Reserve; and*
4. *Approves the content of the Williamson Park 15 year event resource consent application to include provision on an annual basis for:*
 - *5 night time events*
 - *15 day time events*
 - *3 of the night time events are permitted to apply for a liquor licence with the exception of New Year's Eve events.*
5. *Directs staff to return with a proposed process to gain Community Board input in order to determine the likely events for the year.*

Moved/seconded by: Baker/Walker
Councillor Bartley voted against the motion.

The Council approved the budget and district funding consideration in clauses 2 and 3.

Since November 2017 the Community Board has been considering the draft application and a process for determining likely future events.

At a recent workshop the content of a draft policy on the use of Williamson Park was discussed and staff were directed to revise the resource consent application to reflect a number of changes and draft a policy for the Community Board's formal consideration.

Throughout the year of developing the resource consent application members of the community have been lobbying the Community Board to ban commercial activity on the park on the basis that the original gifting of the park requested it and that public access be maintained. The Community Board has received legal advice on this matter. The current legal status of Williamson Park is that it is a recreation reserve held by the Council under Computer Freehold Register 543558, free of any conditions, and therefore, legally, the Council is free to deal with Williamson Park as it wishes, subject to the 1977 Reserves Act.

3 Issue

The Whangamata Community Board has been delegated the governance decisions for the local funded activities which includes the Community Board area's parks and reserves. To finalise the resource consent application (Attachment A) with the latest direction from the Community Board will require the Community Board to rescind the previous resolution clause regarding the number of day and night events and number of events able to apply for a liquor licence.

4 Discussion

At the March 2018 workshop the Community Board and staff determined that there were more current uses of the park that normally had more than 500 people in attendance than had been previously identified. As a result the number of day and night events in the resource consent application was to be increased from 5 night and 15 day events to 7 night and 20 day events. This increase in the number of events to be covered by the resource consent application requires a rescinding of the previous Community Board resolution from 7 November 2018.

The workshop also covered aspects of use of the park that the Community Board wished to retain control over. These aspects were considered best to be included in a Community Board policy so that the 15 year resource consent application would be less encumbered to allow different controls should the community or a new Community Board hold different views in future years.

A draft policy has been developed that reflects the workshop direction (Attachment B). Several areas require further consideration before the policy can be finalised. The meeting discussion may resolve the outstanding matters, but if further work is required the draft policy can be considered at a subsequent meeting.

5 Suggested resolution(s)

That the Whangamata Community Board:

1. Receives the 'Williamson Park resource consent application and policy on use of park' report, dated 9 April 2018.
2. Rescinds the following clause from resolution 68/17 relating to the number of day and night events and number of events permitted to apply for a liquor licence:
"Approves the content of the Williamson Park 15 year event resource consent application to include provision on an annual basis for:
 - *5 night time events*
 - *15 day time events*
 - *3 of the night time events are permitted to apply for a liquor licence with the exception of New Year's Eve events."*
3. Approves the lodgement of the Williamson Park resource consent application as provided in Attachment A to the agenda report.
4. Provides feedback on the draft policy on use of Williamson Park as provided in Attachment B to the agenda report.

References-Tabled/Agenda Attachments

Attachment A *Resource Consent Application for 15 years of events at Williamson Park*
Attachment B *Draft Policy on the Use of Williamson Park*

Attachment A

Attachment A - Resource Consent Application for 15 Years of events at ...

Attachment B - Policy on Use of Williamson Park in Whangamata