



Minutes

of the

Whangamata Community Board

Ordinary Meeting

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| Date | 17 April 2018 |
| Venue | Whangamata War Memorial Hall 328 Port Road, Whangamata |

Present

Chairperson

| | |
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| K Coulam | |
| HD Bartley | K Baker |
| E Adams | TM Walker |
| R Thompson | |

Apologies

In attendance

Staff

Angela Jane, Garry Towler, Kirstin Richmond, Jennifer Mahon, Amber Baker

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| Meeting commenced | 10:00 |
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1 Meeting conduct

1.1 Apologies

All Whangamata Community Board members were present.

1.2 Public forum

A period of up to 30 minutes was set aside for the public to raise matters falling within the terms of reference of the meeting.

Barbara Jackaman

Ms Jackaman proposed using a section of Park Avenue reserve as a dog park complete with a 7 jump dog obstacle course to cater for local dogs and as well as the influx of visiting dogs during the peak summer period. She noted that her concept would result in no cost to the ratepayer and would likely use the services of the local Menzshed for building the signs and features. She explained that health and safety and the ease of mowing around the features had been considered during her planning. The zoning of the park as it stood now would allow for this type of activity. Ms Jackaman had plans to welcome Police and agility dogs at the opening of the proposed park. She tabled an aerial map of her proposed dog park area within the reserve.

- Board member Thompson asked if there would need to be staff to manage the park and Ms Jackaman confirmed the park would self-manage.
- Ms Jackaman explained she had been working with Community Manager Eileen Hopping who advised Ms Jackaman present the idea as part of the public forum to the Board as a first step.

John Rive

Mr Rive tabled a document which noted his concerns with the proposed Williamson Park 15 Year resource consent. As Secretary of the Whangamata Ratepayers Association, he reported that the vast majority of members who attended the Association's AGM earlier this year were opposed to the consent.

He explained that on a personal level he believed the proposed consent would result in irrevocable consequences to the town potentially even returning it to the days where Whangamata grappled with negative social behavior including riots.

He expressed strong opposition to having fencing and major structures at the park during the busiest time of year. He preferred free access at all times, noting the black fencing was a terrible look.

He questioned the perceived financial benefits the resource consent would bring to the town which he said was already operating at capacity during that time.

Mr Rive noted TCDC documents which discussed the Proposed District Plan and queried why TCDC was working to implement clauses from a plan which had not yet been formally approved.

Ann Rawlinson

Ms Rawlinson spoke in favour of the proposed Williamson Park 15-Year resource consent. She said she had enjoyed a variety of recent events at Williamson Park including SoleMio and Shapeshifter concerts. She said she valued the public park and was motivated to present her view after attending the public meeting held on 14 April 2018 about the consent. She said she commended the Board for considering the growing needs of the community and its diversity. She understood the need for fencing at the park for a limited time saying it was for public safety. She said the resource consent provided some certainty of what would take place at the park.

William Ross

Mr Ross noted concerns with the proposed Williamson Park 15-year resource consent. He raised issue with how information about the consent had been shared with the public and how limited the consultation process had been thus far. He highlighted that social media was not the most effective way to reach people and praised the organiser of the 14 April 2018 public meeting. He queried whether the Community Board had taken the opportunity to speak to Brian Grant, Anne Stewart Ball and Gary Gotlieb - he also referred to a letter which was sent to the Board from Mr Gotlieb which was tabled. He also asked whether or not the Board had read the Council's legal opinion on this matter.

Mr Ross questioned the effectiveness of the 2016 Council led feedback campaign noting 138 responses could not be considered a majority when Whangamata had approximately 4,000 residents. He asked for the costs to the ratepayers for the consent and management of it. He declared that Whangamata residents did not want to be event managers. He said this venture was not core business of Council and he questioned the economic benefits noted in the application for the 15-Year Williamson Park resource consent. He said he did not want Whangamata to be known as a pub/club town. He also questioned how school groups would be catered for and said it would be a shame if this consent didn't consider them. He spoke on behalf of residents whose houses closely surrounded the Williamson Park and said they were not happy that Council was applying to increase approved decibels levels for events.

- Councillor Walker noted that the application would be publicly notified where all submissions would be presented to an independent commissioner. This type of process would allow the public to present feedback for formal consideration.

Mr Ross urged the Council to undertake more consultation and to consider ways to communicate with ratepayers. He said old fashion ways should still be considered.

Maurice Perry

Mr Perry said the decision making process around the proposed Williamson Park resource consent had been dubious noting limited feedback and a missing deed. He questioned how a proper decision could be made with such little confirmed information. He said he was looking for an informed decision.

Julia McNee

Ms McNee, secretary of the Enterprise Whangamata (business association) noted support for TCDC as they undertook lodgment of the proposed 15-year Williamson Park resource consent.

Judith Oliver

Ms Oliver noted support for the proposed 15-year Williamson Park resource consent and specifically mentioned the benefits from a business perspective for local businesses.

Rosemarie Lawton

Ms Lawton tabled her concerns with the 2017/2018 commercial events held at Williamson Park. She spoke about walking along the waterfront beside the Surf Club on the evening of the Shapeshifter concert noting evidence of young people pre-loading alcohol with no police presence to prevent it. She said police were focused inside the park grounds and not outside. Ms Lawton suggested the removal of the bollards at Williamson Park as she said they served to limit parking from 200/300 spaces to 26 carpark spaces. She said the limited parking and fewer trees for natural shading forced people to park vehicles and unload children and seniors on the grass verge on Ocean Road. She stated she had a number of young adults staying at her holiday home for New Year's Eve and some of them returned home very distressed explaining they had witnessed a stabbing in the girls' toilet at Williamson Park. She voiced concern that this negative behaviour might be just the beginning of the trouble. She also said there were alcohol fueled young people exhibiting reckless behaviour after the concert had finished as well. She said the only difference between the reckless behaviour this year and that of previous years was that people were now paying to carry on that way. Ms Lawton noted that because there was paid security tied to the events, she noted police were not around to intervene. Ms Lawton said her comments explained why there was no need for a 15-year resource consent by TCDC. She said there was no need to break the liquor ban from 23 December 2017 4:00pm to 8 January 2018 4:00am. Ms Lawton clarified she believed the Shapeshifter concert broke the liquor ban on 6 January 2018.

She concluded by offering her wish that the holiday capital of New Zealand - to remain a family place for all, and not to have people locked out of the beach and family park.

Susan Coffey

Ms Coffey noted she had spoken to a number of non-resident ratepayers who were unaware of the fenced events which took place this past summer at Williamson Park and they did not support them. She noted different places offered different specialty experiences, Whangamata offered an exceptional beach experience for visitors and there was no need to now adopt a new events and party culture seen at places such as Auckland. She reminded the Board that the land which Williamson Park currently sat, was in fact gifted for recreational use. She noted her disbelief that Council supported what she deemed as offensive black fencing at a cost of \$10,000. She urged promoters to find better places for commercial concert events and suggested Council put on a free concert for all to attend.

Barry Sapwell

Mr Sapwell presented he had been a ratepayer for 22 years and lived beside Williamson Park. He reported that from 4:00pm on the afternoon of one of the events at Williamson Park he witnessed the pre-loading of alcohol by people and explained it was likely because they were trying to avoid paying exorbitant alcohol prices inside the fenced event. He went on to say that after the concert young people were urinating in public. He stated he did not want Whangamata to be the party capital of the country. He refuted earlier statements that concert goers supported local shops and did not believe they offered any economic benefit. He was in disbelief that Council would financially support the fencing which surrounded the park for New Year's Eve period events. He declared that he would financially support legal proceedings against Council should the proposed resource consent be approved. He said New Year's Eve and Shapeshifter concerts were noted as trouble. He questioned the police support for last summer's events and those events potentially being considered in the resource application offering an example where police intervention near his residence was slow. He also said as a nearby resident of the park, the current sound decibels were far too high and rejected any consideration of them being raised.

Mr Sapwell concluded his comments by tabling and reading out a resolution from the public meeting held on 14 April 2018 at 10:00am at the RSA in Whangamata with instructions that the motion was to be shared with the Mayor, Council and Community Board members.

Resolution from the 14 April 2018 public meeting:

That the findings of this meeting be passed on to the Community Board on Tuesday and on to the Council. To pass on the feelings of the community here today, their strong feelings and opposition towards the 15-year resource consent application by the Thames Coromandel District Council.

This motion was voted on with 75 people in favour, 15 against and with 30 abstaining.

Denise Wallace

Ms Wallace noted she had been a ratepayer for over 40 years and was aware that the Williamson family had donated the land for Williamson Park and that the family's wish was that it be used for public recreational use and not commercial gain. She questioned who was actually going to gain from what was proposed in the resource consent application and urged people to consider other places for events. She said she didn't like shutting people out of the park and offered continued support for markets, Beach Hop and Brits at the Beach noting they were not fenced and didn't cost the public to take part in. She felt this group of events were not commercial ventures.

Jack Glading

Mr Glading spoke about the land for Williamson Park being gifted and he highlighted comments made by Council Bartley at the 14 April 2018 public meeting about the proposed consent. He understood the comments to mean that not every Councillor completely understood how decisions resulting in this proposed consent had been made up until this point. He noted he would not feel comfortable being a Councillor backing this application without fully understanding the process.

- Council Bartley requested that Mr Glading clarify his comments. Mr Glading said he was not able to do this on the spot.

Andrew McLeod noted Council was focusing on the financial aspect of this matter and was failing to note the significant moral issue. He urged people to visit the Whangamata Ratepayers Association website which he said featured all of the available background information dating back to documents from 1923 about the Williamson Park land transfer. He raised that this type of matter had indeed been considered and ultimately was rejected in 2001 by an independent commissioner.

- Board Member Adams asked Mr McLeod to clarify his understanding of commercial activity by noting what, if any, commercial events would be acceptable in his view on Williamson Park. He responded by stating no bouncy castle - nothing you have to pay for.

He concluded by asking the Board if they were going to honour the deed of gift.

Brian Grant

Mr Grant noted he was a District Councillor in 2001 when he was part of a legal review of this same proposal and he reported that it was put to Council and ultimately rejected. He said evidence of this entire process appeared to be missing and deemed not relevant by Council now.

Anne Stewart Ball noted she did not agree with how her tabled comments were recorded in the 6 March 2018 Whangamata Community Board minutes - minutes which the Board would be considering later on in the meeting. She spoke about Council appearing to ignore a 2001 hearing decision which declined an application to Council for a commercial restaurant to sell alcohol on Williamson Park land noting she personally attended the hearing at the request of Beverley Williamson.

Ann Schrieber noted concerns about holding concerts at Williamson Park mentioning issues with noise and intoxicated young people. She said she did not agree with the fencing of the park.

13/18
WCB

Resolved

That the Whangamata Community Board receives B. Jackaman, J. Rive, A. Rawlinson, W. Ross, M. Perry, J. McNee, J. Oliver, R. Lawton, S. Coffey, B. Sapwell, D. Wallace, J. Glading, A. McLeod, B. Grant, A. Stewart Ball, A. Schrieber as speakers in the public forum.

Moved/seconded by: Walker/Baker

1.3 Items not on the agenda

There were no items added to the agenda.

1.4 Conflict of interest

There were no conflicts of interest declared.

1.5 6 March 2018 - Whangamata Community Board minutes for confirmation

14/18
WCB

Resolved

That the Whangamata Community Board confirms the minutes of the Whangamata Community Board meeting held on 6 March 2018 as correct records of proceedings.

Moved/seconded by: Walker/Baker

2 Governance

2.1 Williamson Park resource consent application and policy on use of park

The Community Board was asked to consider the resource consent application for events on Williamson Park for approval to lodge and a draft policy on the use of Williamson Park for consideration and feedback.

The Community Board Chair offered an amendment to clause 4 requesting that the discussion on the draft policy which would accompany the resource consent be deferred to a Community Board workshop prior to being formally considered at a subsequent meeting.

Councillor Bartley noted the importance of exercising a duty of care addressing reputational and financial risk to Council.

It was noted that the resource consent application process would be publicly notified.

The other Board members noted that they had listened to the public to ascertain whether there was an appetite for events in the community and that it was now time to decide whether or not to undertake a formal process. It was noted that the Board had not instigated the need for the resource consenting process.

15/18
WCB

Resolved

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. That the draft policy is deferred to a community Board workshop prior to being formally considered at the subsequent meeting.

Moved/seconded by: Coulam/Walker

After the motion was put and confirmed, Jan Bartley recorded his opposition to the resolution clauses being passed as one bulk resolution.

3 Local activities: Policy/levels of service operational

No items received.

4 District activities: Local input policy/levels of service

4.1 Transfer of ownership of existing toilet block and new ground lease - Onemana Surf Life Saving Club Inc.

The Community Board was asked to consider recommending to Council to approve the transfer of the existing toilet block, for the consideration of \$1 + GST (if demanded), and to approve a ground lease between the Council and the Onemana Surf Life Saving Club Inc. (Club) over part of Council's recreation reserve, comprised in computer freehold register 745695, located at 125 Oratia Place, Onemana.

The District Manager South spoke to this report.

16/18
WCB**Resolved**

That the Whangamata Community Board:

1. Receives the 'Transfer of ownership of existing toilet block and new ground lease - Onemana Surf Life Saving Club Inc.', report dated 28 March 2018.
2. Recommends to Council to approve the transfer of the existing toilet block, for the consideration of \$1 + GST (if demanded) to the Onemana Surf Life Saving Club Inc.
3. Recommends to Council to delegate authority to the Chief Executive to execute all necessary documents to effect the transfer of the property to Onemana Surf Life Saving Club Inc.
4. Recommends to Council to approve a ground lease between the Council and the Onemana Surf Life Saving Club Inc. over part of Council recreation reserve, comprised in computer freehold register 745695, located at 125 Oratia Place, Onemana.

Term: 33 years
Commencement Date: 1 July 2018
Final Expiry Date: 30 June 2051
Annual Rent: \$100.00 plus GST
Rent Review Dates: Every three years

5. Recommends to Council to delegate authority to the Chief Executive to approve a lease between the Onemana Surf Life Saving Club Inc. and Council for the ongoing operation and maintenance of the public unisex toilet.

Moved/seconded by: Walker/Baker

5 District activities

No items received.

6 Reports

6.1 Whangamata Community Board 2017/2018 Work Programme

The Community Board was provided an update on the 2017/2018 Work Programme.

It was noted that the drinking water standards upgrade projects in Onemana and Whangamata would likely be pushed out and would now feature in the 2018/2019 financial year.

17/18
WCB**Resolved**

- 1 That the Whangamata Community Board receives the 'Whangamata Community Board 2017/2018 Work Programme - update' report, dated 2018

Moved/seconded by: Baker/Adams

6.2 Members' reports

Councillor Bartley tabled photos from resident Sue Vickers of 234 Beverley Terrace and noted they had been forwarded to TCDC staff to investigate further.

Councillor Walker requested an update on an application for a liquor licence on Port Road. Staff reported that there had been three public objections and that the formal hearing would be held in two weeks. Councillor Walker alerted staff that some World War One Memorial Forest trees needed to be replaced. He also mentioned participation in the Long Term Plan process, the issue of blue bags on hooks, Community Award nominations and the Paradise Coast initiative.

Community Board member Baker noted her support to get the Whangamata Community pool covered and noted she had received 1,000 signatures confirming the support of others.

Chairperson Coulam noted the high Long Term Plan submission numbers.

18/18
WCB

Resolved

That the Whangamata Community Board receives the Members' reports.

Moved/seconded by: Adams/Thompson

Meeting closed at 11:26

The foregoing minutes were certified as being a true and correct record of the meeting of the Whangamata Community Board held on 17 April 2018.

Chairperson _____ Date _____