

VERBAL SUPPORT OF SUBMISSION

I support the application because it will bring better governance to the use of Williamson Park.

I support the application because it will bring economic benefit to the ratepayers Whangamata, provide job opportunities and provide safe organised activities in the Park.

Events create destination attraction. Whangamata already sees the major positive economic impact of the Beach Hop car show, New Plymouth has Womad, Napier has the Mission, Gisborne has Rythm & Vines, Christchurch has Addington Races. All these annual events and many more around the country provide the local economy with funding injection that supports development and ongoing local body costs. Essentially and very importantly they reduce burden on the local rate payer for Council controlled venue like Bowl Of Brookland in New Plymouth. The income generated supports maintenance and development of the Park reducing ratepayer liability.

Events also create, traffic problems, security issues, waste management initiatives and health & safety challenges. That is why we have a Resource Consent process and in most cities and towns a second tier Permit requirement to stage events.

It is incorrect to portray this current process as unique. It may be correct that Resource Consents around events are not specifically processed based on attracting participant numbers over 500. The requirements that initiate a Consent process may be about duration of an event, noise limits, lwi requirements, Heritage governance, environmental impact. However the point that is lost (or perhaps ignored) in the argument of an event of 500 requiring a Resource Consent is that in most other regions another tier of regulatory compliance is also required. If you were to want to hold a Fair in Wanaganui Gardens a Permit is required (even if its for only for 50 people). If an agency wanted to photograph a car in an Auckland City Park a Permit is required. If you want to take wedding photos with a group of 3 or more in a Christchurch public Park a Permit is required.

The Council process of applying for a long term Consent for a variety of different events is an efficient and economic strategy and thereby appealing for all proposed event organisers for many years to come.

It is common in legal argument to bend the truth or omit some fact in order to win an argument. In this regulatory process though what is the commissioners legal option when a prolonged, intentional and maligning campaign of deceit can be proven. That is the context of my submission.

If there has been intentional misleading of the public by Council in order to influence the public to vote for this application then if proven the Council application needs to be thrown out.

So conversely if submissions against the application have been unduly influenced by intentional deceit then they too need to be considered as not valid. Expert witnesses who

have not been given full information or have intentionally ignored that information – how valid are there submissions.

The campaign headed by Gary Gotlieb as the Save Williamson Park mouthpiece must be considered at the very least ethically questionable and at worst an outright fraud in order to get votes submitted direct from the Save Williamson Park website that carries intentionally deceitful facts to enable misdirected voting.

My submission outlines some key issues that have intentionally misled the public both on the website and through local media in order to influence voting and attitude toward this application.

The three key issues presented fraudulently for me are fencing of the Park, commercial use of the Park and the requirement to exclude professional event organisers from the Park over an important period of potential summer events.

Fencing

The Campaign of Deceit has focused on a key slogan that all events over 500 people will need to be fenced. (Screenshot 28 15.05.54)

This is a total falsehood.

The Campaign of Deceit has focused information stating exclusion of the local community from the Park over an extended period. The facts as laid out are incorrect and exaggerated to support this and totally ignore the fact that there is existing fencing used already by the use of fencing of a substantial portion of the Park by the “bouncy castle” commercial operation which has been present for many years. Between Dec 27 and Jan 10 the entire bouncy castle area was fenced off. Between Dec 29 and Jan 7 a smaller section of the Park was continuously fenced off for 3 separate events. Mr Gotliebs submission states that a large part of the Park was fenced off for 10 days. This incorrect.

Professional event operators over 2018 events have dismantled the fencing aside from the one area around the stage before 4.00am after each concert event in the Park leaving less of a fenced area than that in place for that of the “bouncy castle”. This is simply part of the logistical abilities of professional operators to minimise health and safety issues and minimise impact on the environment. Experienced operators can dismantle 1 km of fencing in less than 2 hours. Inexperienced operators can take up to 6 hours for the same 1km.

I can testify as I was present at the NYE concert that the venue proper was not fenced off until 6.00pm on the show night and that the Park was free of all venue fencing by 4.00am the next morning. The portion of fencing left standing was a footprint smaller than that of the “bouncy castle”. The only reason that portion of fencing was left was simply because there were 2 events to follow in the same week which was using shared stage and production facilities.

If it was a 1 off event the Park would be open to all vehicles and foot traffic by 8.00am as it was post each of the 2018 events and the entire event infrastructure including staging, generators and toilets can clear of the Park within 24hours.

Demanding a no fencing policy in the Park completely ignores the fact that fencing is an existing practice.

Commercial use

Governance of the Park in the peak Summer period for the last 15 years has been the responsibility of the Community Board. Summer Festival Events have been supposedly run as non profit by volunteers with all profit going back to the community.

Companies Office records (as presented in a letter to the Community by Margaret Alexander) show over 100k has been granted to the Community Board to support Summer Festival between 2013 and 2018. Council records actually show a greater figure. The Community board has paid a coordinator \$46,450.00 .

These numbers on there own put a question mark on commercial use.

However the Community Board reports a non profit status which enables Summer Festival to apply for more grants to numerous bodies such as Lions Club, TRUSTS Waikato and NZCT to secure more funding for Summer Festival. These dollar amounts granted can be attained through the Community Board but are not so transparent. Estimate return from annual grants is approx. 10k – 20k per year.

Summer Festival accounts also show a healthy return for charges on site rentals for market stalls in the Park. No auditable numbers are listed as all income is simply noted as “donation” but over a minimum of 2 market days each year 100 odd stalls at average \$200.00 each is a conservative estimate. That’s around another 20k.

Because all income is listed simply as “donations” in the Summer Festival accounts it is difficult to reconcile all the income streams but we know there are commercial carnival rides and food and beverage outlets where income is derived additionally as a % of turnover.

In this years Community Board Summer Festival report it is noted that income from the bouncy castle carnival ride is lower turnover than previous year due to change in location. This confirms an income stream as a % of income. Food, beverage and percentage takes could easily return another 30k catering to numbers up to 30,000 over the Summer Festival period even at a ridiculously modest \$1.00 per head. Commercial rates an any other event range up to payments of 15% to the organisers from food and beverage outlets.

The Save Williamson Park campaign argues the public will have to pay to access for some events if this application is granted. Again what is totally ignored is this is existing use in that Park visitors already have to pay a fee to enter such fenced off carnival rides and a portion of this fee is of course paid back to Summer Festival as part of the commercial arrangement to give the carnival rides owners rights to be in the Park.

Lastly there is the sponsorship income. Council became aware that amounts of \$5000.00 were being charged to Coca Cola by the Summer Festival for the “rights” to be the exclusive soft drink supplier in the Park over the Summer Festival period. Again because Summer Festival accounts just list “donations” to cover all income it is difficult to determine where any sponsorship income may be found.

So someone is turning over anywhere from 90-130k of income per year that is apparent. But of course the information presented to the public is that the Park must be protected and never be used for commercial operations.

Looking at some of the billing on the Summer Festival accounts my opinion is that there has been overbilling reported. Security for 2018 is entered as \$12000. At a normal rate for certified security personnel of \$25.00 per man hour that equates to 480 man hours or 80 man hours (10 guards for 8 hours) a day over 6 days. Given there are stat rates for some days but whatever way you slice costs like this either the event operators are extremely inexperienced or someone is receiving further advantage here. Especially notable with this particular cost item are the number of photos that have been around on social media for the 2018 Summer Festival. I challenge anyone to find more than 1 photo where a security guard is actually in the shot.

So why has this anti campaign been so determined to present false information and ignore the truth?

There was originally a letter of support published in the Coastal News by the Community Board Summer Festival representative post the Shapeshifter Concert in early 2017. It was noted how well managed the event had been and what a great benefit for the Community.

However once the decision was agreed by Council, Emergency Services and the Community Board Summer Festival representative to halt the evening concerts and have professional event organisers run the Dec 2017 NYE concert suddenly a dedicated campaign in opposition was instituted. This campaign which said the exact opposite to the letter of support went on through many forums for some months before some questions were asked through the Coastal News by local resident Margaret Alexander. She was questioning misinformation as published by the Community Board Summer Festival Representative Aug 3 and Sep 7 editions. The "Please Explain" letter listed the financial information in relation to income, expenditure and the non-for profit status. She questioned the promotion of Summer Festival as a "free" community event for a local population of 600 children and how the ongoing Park costs and Council funding were actually being paid for by ratepayers. She questioned profits going back to the Community and asked for a list of such funds raised. Margaret Alexander never received the courtesy of a reply to any of her questions.

As a Community body why has the Community Board continued to ignore the questions as posed by Margaret Anderson in the Coastal News September 2017? These questions are not unreasonable but if responded to could open the door to a serious audit on the governance and accountability of the Summer Festival as a commercial operation.

The Community Board Summer Festival mandate

The Whangamata Summer Festival is run by a not for profit community group who fund raise all year round, in order to provide a focus for youth, young families, locals, holiday makers and the elderly, by staging night time concerts, offering a range of musical genres from roots & dub to pop, rock, country and even opera, plus volleyball competitions, skate competitions, a kids' holiday programme and our huge craft markets!

As a Community body how can it defend and support submissions by so called experts that ignore the existing use of the Park for over 15 years. All of a sudden 3 proposed concert nights will blow the neighbours away with excess noise. All of a sudden these intermittent activities are no longer part of the existing environment.

(CONSIDER 2016 2017)

Dec 28 2016 – 8pm>11pm THE PINK FLOYD TRIBUTE BAND

Dec 29 - 8pm>11pm MONTY'S AFTER PARTY a mash of classic rock to alternative

Dec 30 - 8pm>11pm THE MONROES -stars of NYE 2105

Dec 31 -8pm>1.15am JOSH LEYS, DJ'S AND THE DOZEN

Jan 1 -7.30pm> OPERA IN THE PARK

5 concert nights have been the norm for many years. It is the violence and alcohol abuse around these concert nights that drove the Council and local Emergency Services to find a solution to an escalating problem in Williamson Park.

Concerts have formed an integral part of the Summer Festival for 15 years yet expert witnesses are commenting on the environmental impacts of noise generated by concerts in the Park as though this established use has never happened in the past. The difference is that this process requires reports to establish and deal with noise levels which have in fact been present in the environment for many years – but simply ignored because they could be. The Council has in fact had insignificant comment of noise from the Park until this year when surprisingly complaints were registered by Summer Festival staff. It is also worth noting that the experts conveniently omit that this beach environment is a “surf beach” environment. Residents within 500m of the beach (the area of the Park) and some times a lot further can have a constant db level of over 80 for days on end if a 4ft swell is hitting the shore with loud breaking waves.

Quite simply Summer Festival has been an enormous cash cow to the Community Board and any attempt by Council to reduce rate payer funding to Summer Festival and institute better governance of planning matters through this application appears to have met with a concerted effort to ignore or obscure facts and support the ability of the Community Board to continue with the status quo for Summer Festival. Any questions by the Community in relation to the financials around Summer Festival have met with a stony silence to protect the status quo.

Restrict professional operators

The Policy Document as annexed to the Council application has been introduced by the Community Board and clearly requires a “hands off” the Park over the period Dec 25-Jan 4. The reason given is that there is no need for further events to attract people into Whangamata as there are enough in the town.

The Community Board has had representatives over each Summer planning meeting held with Council for 15 years. It was aware and supported the need for a “solution” to the dangerous, costly and ugly situation that had been building around concerts at Williamson

Park. It agreed to the staging of a low cost, fenced and ticketed event in 2018 to try and alleviate some of the serious harm that had been witnessed at Williamson Park over the previous years.

It was then aware of the outcome of the professionally organised 2018 NYE event with the total reduction of alcohol and violent incidents in the Park during the NYE concert in 2018. The Coromas debrief carrying all the relevant statistics is a public document. Why then after the resounding success in reduction of health and security issues during concerts in 2018 as documented in the Coromas Debrief has the Community Board made a requirement that this solution can never happen again?

The Council chose to call for “event plans” for concert events in 2018 and professional operators submissions were chosen over the inexperience and track record of concert events run by Summer Festival. In the end the Community Board did not submit any “event plan” as called for by Council somehow believing they had the rights to continue and deliver yet another round of risky Summer Festival concert events. The requirement to leave a critical time period of proven past problem events ring fenced for Community Board Summer Festival events is totally without any merit.

Quite simply Summer Festival concerts have been an enormous cash cow to the Community Board and any attempt by Council to reduce rate payer funding and institute better governance of planning matters through this application appears to have met with a concerted effort to ignore facts and support the ability of the Community Board to continue with the status quo for Summer Festival. Any questions by the Community in relation to the success by reduction in harm in concert events over Summer of 2018 Festival have met with a requirement to restrict these concerts by the Community Board in order to protect the status quo.

I believe the evidence is more than clear to support investigation of validity of all votes submitted electronically via the Save Williamson Park Website.

The misinformation campaign has intentionally deceived and defrauded the public of full and frank disclosure and calls into question all those associated and their motives.

Fencing, commercial use and concerts in Williamson Park have been a part of the Park environment for 15 years. It is beyond belief that those who have operated this environment for 15 years now support a campaign by whatever means to restrict the Councils ability to institute a level of safety and oversight to improve and safeguard the Park environment.

<https://www.youtube.com/watch?reload=9&v=ZrqAk50XtkE>