



Report 08.445
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Committee Parks, Forests and Utilities Committee
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Parks and Forests concessions review

1. Purpose

For Council to consider changes to the concessions, new charges and public consultation.

2. Consideration by Committee

The matters raised in this report were considered by the Parks, Forests and Utilities Committee on 19 June 2008 (Report 08.290 refers). The recommendations contained in this report have been endorsed by the Committee for the Council's consideration and decision.

3. Significance of the decision

The matters for decision in this report do not trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the *Local Government Act 2002*. However, prior to adopting the concessions guidelines and, in particular, changes to the fee structure, a special consultative procedure as set out under section 83 of the *Local Government Act 2002* will need to be followed.

4. Background

The **current** concessions policy branded *Policy for Recreation and Tourism* for Greater Wellington Regional Council's (GWRC) parks and forest areas was adopted in July 2001 and sets out the general policy direction relating to **commercial and non-commercial recreation and tourism** in those areas, and when and how much GWRC will charge for using them and their respective facilities. Under the existing policy concessions are required for all commercial uses and some non-commercial uses.

The concessions guidelines document is non-statutory and it is intended that the document remains an operational one for a maximum of five years, after which it is reviewed. Reviews for concessions fees and charges were intended to take place every two to four years. However, they have not been reviewed since the policy was adopted in 2001.

The preparation of the concessions guidelines (as in attachment 1) involved a number of workshops with Councillors, current concessionaires and the iwi. During these workshops issues were raised that shaped the development of this policy and would mean that the current philosophy behind the policy will change, if adopted.

Feedback from the workshops with iwi and current concessionaires, and a number of scenarios designed to illustrate actual effects of policy decisions have been presented to the Councillors through workshops, to establish a direction on the philosophy for charging and for what concessions were required for commercial and non-commercial activities.

Councillors provided feedback that they wanted to remove the barriers to recreational use where activities were non-commercial and that school aged children should not be charged in order to encourage their use of the parks and forests. A summary of these discussions is detailed further on in this report.

Once these concessions guidelines are adopted by Council, it will be made available for public comment.

5. Proposed changes to current concessions policy

5.1 Inclusion of long-term concessions

Currently long-term concessions (including leases, licences and easements) are not covered under the current concessions policy.

As long-term concessions are not covered in the current policy, the rationale for the draft concessions guidelines is to include long-term concessions. This will allow for the activities to be managed in a clear and transparent manner between the operator and GWRC. The guidelines will also allow for the management of the effects of these activities to be minimised.

Staff recommend new policy is included relating to the assessment, basic rates and rental reviews for long-term concessions, as currently there is no policy direction for these activities. This will be covered under policies 10, 11 and 12 under the draft concessions guidelines.

The assessment of long-term concessions and how they are considered is set out within the *Regional Parks Network Management Plan*. In addition, the management plan for each park sets out specific activities within a certain zone. The management plans have specific objectives and policies that would need to be considered for any decision making for any long-term concessions that could affect the park.

5.2 Iwi involvement in decision making process for long-term concessions

Regionally, iwi are involved with territorial authorities in granting long-term leases and licences. It would be desirable to have an iwi involvement in the decision making process with GWRC parks and forests lands.

It is recommended a new policy is introduced in relation to GWRC agreeing to

iwi involvement in the decision making process for all applications for all long term leases, licences and easements on GWRC's forests and parks. This will be introduced as policy 9 within the attached concessions guidelines.

5.3 Proposed concessions charging philosophy and concession requirements

5.3.1 Proposed changes

The feedback from the workshops indicated that there should be:

- (1) Charges to apply to all **commercial** operators, with no exceptions.
- (2) Charges not to apply to **non-commercial** activities unless there is substantial impact on GWRC parks or forests infrastructures. The fees charged will be based solely on the impact of any proposed event or activity.
- (3) A concession will be required by any activity that is **non-commercial** (over and above usual casual activities) to ensure that the activity is managed in an appropriate manner.

5.3.2 Proposed concession charging regime

It is recommended that no activity fee be charged for all non-commercial activities with less than 150 participants, provided they have been assessed as having a low impact on parks and forests. Furthermore, to ensure that these non-commercial activities remain non-commercial, GWRC will require applicants to demonstrate evidence of this and to sign a disclaimer. However, for those activities that have a high impact and for all commercial activities it is recommended an activity fee and application fee apply.

6. The way forward

Following Council's approval, the draft concessions guidelines consultation document will be released for formal public consultation. The Special Consultative Procedure will be followed, as outlined in section 83 of the *Local Government Act 2002*. This process is essentially a formal community consultation process and will be open for six weeks. It is important that the Committee agrees a robust and transparent process for considering the submissions GWRC receives.

There may be a requirement to have Hearings, so provision has been made for this in the timetable.

The proposed process for conducting hearings and considering submissions on the draft concession guidelines is outlined in Report 08.460, which is also being considered at Council's meeting on 30 June 2008.

7. Communication

For consultative purposes a submission newsletter will be put on the GWRC web site and will be sent out to major stakeholder groups, concessionaires/event management groups and territorial authorities. The newsletter (as in attachment 2) will ask a series of questions for any interested party or public member to give their feedback.

Should any of the interested parties or public members wish to view the full draft Concessions guidelines, this will be available for their viewing on the GWRC web site or set out upon request.

Two public notices that will be placed in local newspapers informing the public that the *Greater Wellington Regional Council Parks and Forests Concessions Guidelines* are available for consultation and a media statement will be prepared. Later in the process there will be the preparation of the summary of submissions.

GWRC's web site will also be updated to provide details of the review.

8. Recommendations

That Council:

1. ***Adopts*** the proposed draft concessions charging regime, as set under the draft *Greater Wellington Regional Council Parks and Forests Concessions Guidelines 2008*.
2. ***Agrees*** to initiate the special consultative process, as outlined in section 83 of the *Local Government Act 2002*.

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Attachments

- 1 Draft Concessions Guidelines
- 2 Public consultation document