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Committee Parks, Forests and Utilities Committee  
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## Parks and Forests concessions review

### 1. Purpose

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

### 2. 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.

### 3. 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.

## **4. Proposed changes to current concessions policy**

During the course of the review a number of key issues have been raised. These are detailed in the following sections.

A guideline approach is suggested rather than a more rigid policy document. This enables a bit more discretion in administering the concessions, particularly if special circumstances arise.

### **4.1 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.

The *Reserves Act 1977* defines concessions as:

- (i) A lease; or
- (ii) A licence; or
- (iii) A permit; or
- (iv) An easement

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.

## 4.2 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.

Ara Tahi has suggested there should be iwi involvement in the granting of leases, licences, easements and long-term concessions.

Following a Council workshop a paper was presented to Ara Tahi on 5 December 2007. Ara Tahi passed a recommendation that iwi should be involved, by means of consultation, in the decision making process for long-term concessions. The consultation is a stage in the decision making process where GWRC will seek Ara Tahi views for any leases, licences and easements for long-term concessions. To keep an open mind on these matters, GWRC will keep the flow of information open throughout the consultative process with Ara Tahi. This may involve discussing further options. However, GWRC will still be responsible for making the decisions.

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.

## 4.3 Proposed concessions charging philosophy and concession requirements

### 4.3.1 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.

### 4.3.2 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.

In summary, the main changes proposed to the concessions charging regime are:

- No activity fee for non-commercial activities/events with low impacts and less than 150 participants.
- Introducing a fee waiver criteria for school/college students, or for those <19 years old, provided the concession is applied for by the school or college.
- Standardised flat rates for all commercial activities/events and non-commercial events (>150 participants) requiring concession (\$5 per person for a full day or \$2.50 for half day)
- Standardised rate for commercial passenger vehicle conveyance tours
- Motorised recreation – increase in commercial event charge (\$30 to \$40 for full day, \$20 to \$25 for half day), per vehicle.
- Picnic sites/marquees – increase in flat weekend rate from \$200 to \$500
- Wedding ceremony and function – increase in rate from \$200 to \$500
- Advertising commercial films – increase from \$500 to \$750 per day
- Feature films – greater than 10 days, then rates are negotiated at the discretion of Manager, Parks and according to impacts.
- Non-commercial 4WD bikes/trail bikes will increase from \$10 a day to \$15 per day, per bike.
- Inclusion of mobile traders trading at events or other activities within GWRC's parks and forests.

It is proposed that the charging regime for long-term concessions is not specified but rather the policy criteria is used to determine the basic rates and rentals.

## **5. The way forward**

Following the Committee meeting, the draft concessions guidelines consultation document will be sent to full Council for approval and then 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 tentative timetable for the Special Consultative Procedure is as follows:

Committee endorsement of draft concessions guidelines and consultation document	Parks, Forests and Utilities Committee meeting (19 June 2008)
Council approval of draft concessions guidelines and consultation document	Council meeting (30 June 2008)
Formal public consultation period commences	2 July 2008
Public Notice 1	2 July 2008
Public Notice 2	5 July 2008
Close of submissions	11 August 2008
Hearing of submissions – Parks, Forests and Utilities Committee	September 2008
Report back to Parks, Forests and Utilities Committee, and seek approval of final concessions guidelines	23 October 2008
Back to Council approval of final concessions guidelines	3 November 2008
Concessions brochure prepared	November/December 2008
Concessions guidelines comes into effect	December 2008

## 6. 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.

## 7. Recommendations

*That the Committee:*

1. ***Receives and notes*** the contents of the report.
2. ***Notes*** the timetable outlined in this report.
3. ***Endorses*** the draft *Greater Wellington Regional Council Parks and Forests Concessions Guidelines 2008 consultation newsletter*.
4. ***Endorses*** the draft *Greater Wellington Regional Council Parks and Forests Concessions Guidelines 2008*.

*That the Committee recommends to Council that it:*

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**