

Report 13.654
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Committee Council
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Final approval of Parks and Forests Concessions Guidelines 2013

1. Purpose

To consider the recommendations of the Hearings Committee and approve the Greater Wellington Regional Council (GWRC) Parks and Forests Concessions Guidelines 2013.

2. The decision-making process and significance

Fees and charges for concessions are able to be set by local authority under Section 150 of the Local Government Act 2002 (LGA) and are prescribed using the special consultative procedure and the decision making process set out in Section 83 of the LGA.

The matter for decision in this report is considered to have medium significance against the Council's significance policy and decision making guidelines.

The recommendations contained in this report have been considered and endorsed by the Hearings Committee on 28 May 2013, subject to one amendment requested by the Committee for the Council's consideration and decision.

3. Background

The GWRC Proposed Parks and Forests Concessions Guidelines 2013 sets policy for how concessions will be processed, the rationale for charging for concessions and the associated fees. These were previously reviewed in 2001 and 2008.

Fees and charges for concessions are able to be set by local authority under Section 150 of the LGA and are prescribed using the special consultative procedure set out in Section 83 of the LGA.

The GWRC Proposed Parks and Forests Concessions Guidelines (2013), the

Statement of Proposal and the Summary of Information were approved for public consultation on 18 January 2013 (refer to Report No 13.4), then released for public consultation in conjunction with the Proposed Annual Plan 2013/14.

A total of 3 submissions were received and no submitters were heard. The Annual Plan Hearings Committee considered the submissions and after deliberation requested officers to report to Council on the feasibility of a minor amendment to the GWRC Proposed Parks and Forests Concessions Guidelines 2013 to give officers discretion to issue fee waivers for events raising money for charitable purposes. (refer Report 13.661).

4. Additional Fee Waiver

4.1 Discussion

The Hearings Committee request arose following a Fun Run event on the Hutt River Trail, where the applicant (a commercial company) applied for fees to be waived on the basis that all proceeds from the event would go to a registered charity. Officers were unable to grant a fee waiver under the 2008 Concession Guidelines as the applicant's use of the public reserve would result in monetary gain. Whether the monetary gain was for commercial or charitable purposes, was a not criterion to consider fee waiver.

The Hearing Committee considered that it would be acceptable for the Concession Guidelines (2013) to allow discretion to grant fee waiver for applicants wishing to hold events that raised funds for charitable purposes

4.2 Officer discretion

The impact of events upon GWRC parks varies depending on a wide range of factors, including scale, timing, location and type. Some events can have a significant impact on the park and public facilities, displace other visitors and/or absorb additional staff resources while others do not. Officers believe it is preferable to recognise those events that have indiscernible impact on the park and GWRC resources through the application of discretion on a case by case basis.

To establish a baseline for how discretion may be applied when considering an application for fee waiver for charitable purposes, officers have referred to the operative GWRC Parks Network Plan (2011). The Plan's 'Guiding principles for management' identify the values the community attributes to GWRC parks and these principles serve as the basis for the outcomes and policy within the Plan.

The GWRC Parks Network Plan (Chapter 7 Rules for Use and Development) guides the assessment of applications for managed or restricted activities within parks. Decision making guidelines include, but are not limited to, consideration of the impact an activity will have on the environment and other park users and the degree to which the activity is consistent with the management focus of each park. It is proposed that officers consider these factors already outlined in the GWRC Parks Network Plan when applying

discretion for fee waivers. (Attachment 2: GWRC Parks Network Plan extract, 7.4.7 Decision making guidelines)

4.3 Recommended Amendment

Following consideration of the issues raised by the Hearing Committee, it is recommended that a simple change to the fee waiver provisions be made. This is shown **in bold** below:

GWRC Parks and Forests Proposed Concessions Guidelines (2013)
Section 1.5 Fee waivers

GWRC will also consider waiving fees for:

- *Any non-commercial event or activity exclusively associated with children less than 19 years old*
- *Film activities undertaken by students for educational purposes*
- *Commercial still photography*
- *Low-budget filming (in consultation with Film Wellington), refer 1.5.1 below*
- *Any event or activity raising money for charitable purposes.*

It is entirely at GWRC discretion if a partial or full fee waiver is granted.

This recommended amendment has been incorporated into the GWRC Parks and Forests Concessions Guidelines 2013 (**Attachment 1, Pg 5**) for the Council's approval.

5. Communication

Following approval of the GWRC Parks and Forests Concessions Guidelines 2013 by Council, letters will be sent to submitters advising them of the outcome of Council decision.

Copies of the GWRC Parks and Forests Concessions Guidelines 2013 will be made available from GWRC offices. Copies will also be sent to territorial authorities in the Wellington Region and it will be available on the GWRC web site.

Supporting brochures and online information will be updated to reflect the GWRC Parks and Forests Concessions Guidelines 2013.

6. Recommendations

That the Council:

1. **Receives** the report.
2. **Notes** the content of the report.
3. **Agrees** that the matters for decision in the report have a medium degree of significance.
4. **Notes** that officers will apply discretion in issuing a fee waiver for events raising money for charitable purposes using the existing policies and rules within the GWRC Parks Network Plan.
5. **Revokes** the Greater Wellington Regional Council Parks and Forests Concessions Guidelines 2008; and
6. **Approves** the Greater Wellington Regional Council Parks and Forests Concessions Guidelines 2013.

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Attachment 1: *GWRC Parks and Forests Concessions Guidelines 2013.*

[Attachment 2:](#) *GWRC Parks Network Plan extract, 7.4.7 Decision making guidelines*