Submission Form

THAMES COROMANDEL DISTRICT COUNCIL

ON APPLICATION CONCERNING RESOURCE CONSENT OR ESPLANADE STRIP THAT IS SUBJECT TO PUBLIC NOTIFICATION OR LIMITED NOTIFICATION BY CONSENT AUTHORITY

Sections 95A, 95B, 95C, 96, 127(3) and 234(4) of the Resource Management Act 1991 - Form 13

Submitters details

please print clearly

Submitters name and address for service

Full Name(s)

Contact Person

Postal Address

Phone no. *include area code*

Fax no. *include area code*

Mobile no.

Email Address

Application details

please print clearly

This is a submission on an Application from

Full Name(s) of Applicant

Thames-Coromandel District Council

TYPE OF CONSENT BEING APPLIED FOR. Please tick

- [x] RESOURCE CONSENT
- [ ] CHANGE / CANCELLATION OF CONDITIONS OR CONSENT NOTICE CONDITIONS
- [ ] VARIATION OR CANCELLATION OF AN INSTRUMENT CREATING AN ESPLANADE STRIP

Briefly Describe Application:

Type: Land use consent

Location: 418 Ocean Road, Whangamata

Proposed Activity: Application for 20 daytime and 7 night time events per year, for 15 years at Williamson Park, Whangamata

Continued next page

The specific parts of the application that my submission relates to are
(give details)

It is understood that the Thames Coromandel District Council has received an application for Land Use Consent to allow for 20 daytime, and seven night time events per year to occur at Williamson Park. This is consent application is comprehensive because it seeks consent for the events to occur for the next 15 years.

This submission speaks to the Council's application as a whole.

Submission details

please print clearly

My submission is

Please include:

I oppose the application for the Land Use Consent. This is because of the following reasons, each address in turn:

- The gifting of Williamson Park and the anti-commercialisation clause
- The underlying policy of the Reserves Act 1977, section 17
- Limitations imposed on the public's freedom of use
- The fact that the information submitted to the public is incorrect

Williamson Park was gifted to the families of Whangamata in 1929. It was done so on the pretext that the Park would be used by the community for free. There was, and continues to be, resistance against the commercialisation of the park. The only commercial venture allowed within the vicinty of the Park is Blackies Cafe. This was an accepted commercial use of the park by the Williamson family.

It is understood that the Park comes within the definition of a 'reserve' as per section 2 of the Reserves Act 1977 ("the Act"). Because the Park is classified as a "recreational reserve" it is subject to section 17 of the Act. As per section 17(2)(a), "the public shall have freedom of entry and access to the reserve…" It is accepted that exceptions apply to this, however it is submitted that those exceptions have no application in this context. With the erection of fences required for the proposed events, access to the reserve, and thus the beach is restricted. Further, (2)(c) calls for protection of "those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved." It is submitted that the use of the park for commercial gain does not promote such qualities of the reserve. The qualities would be diminished due to:

- The restricted access to the patrolled area of the beach;
- The restricted use of the reserve;
- The disrupted pleasantness of the reserve during the period in which the fencing is up;
- Restricted ease of access to and from the surf club for those who need medical attention.

However the main issue with the use of the Park in such as manner as the consent application seeks, is the restricted freedom associated with the park. During the summer of 2017 – 2018, the use of the Park was restricted for around 11 days at the peak of the holiday period. This was because the fencing which enclosed the three events, did not come down in between events.

Finally, the information distributed to the community has been factually incorrect. Of note, the document titled "Police on use of Williamson Park in Whangamata" it states that the Community Board wishes to protect the current events and festivals that are associated with the Park. These events are those that annually occur such as Anzac Day or Brits at the Beach. This statement implies that without the granting of the consent application, the annual events will cease to continue. This is incorrect.

It is submitted that these events have never been in jeopardy because their existence is assured due to the policy that the public are allowed free access to the Park. No other council in New Zealand is promoting the Proposed District Plan requiring a resource consent for events attracting more than 500 people.

You may attach additional pages if required

I seek the following decision from the Consent Authority:

Give precise details including the parts of the application you wish to have amended and the general nature of any conditions sought.

It is submitted that the consent application should be denied. Allowing the application will enable the slow removal of the public's freedom to access Williamson Park during the height of summer due to the increase in summer festivals and events and the continued fencing spanning these events. The Park will be unduly fenced off from the community, who will even be required to pay to access the Park for some events. The consent is not required to ensure the continued success of events such as the Brits on the Beach or Anzac Day commemorations.

You may attach additional pages if required

☐ I **wish to be heard** in support of my submission

☐ I **do not wish to be heard** in support of my submission

☐ If others make a similar submissions, I will consider presenting a joint case with them at the hearing.
Do not tick if you would not consider presenting a joint case

☐ Pursuant to Section 100a of the Resource Management Act 1991 I request that you delegate your functions, powers and duties required to hear and decide the application to 1 or more hearings Commissioners who are not members of the local authority.
Do not tick if you would not consider presenting a joint case

Signature of Submitter or person authorised to sign on behalf of submitter

Full Name

Signature

Date (DD/MM/YYYY)

Please Note. A signature is not required if you give your written approval by electronic means

All parts of your submission (including name and contact details) are published online and made available to elected members and the public. Personal information will also be used for the administration of the notified resource consent process. All information collected will be held by Council with submitters having the right to access and correct personal information.

Notes to Submitter and Submission address

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

The closing date for serving submissions on the consent authority is the **20th working day** after public notification is given under section 95A or 95C, or notice is served under section 95B of the Resource Management Act 1991.

You must send a copy of your submission to the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.

If you make a request under Section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the Hearing Commissioner or Commissioners.

To: **The Development Planning Manager**
Thames-Coromandel District Council
Private Bag, 515 Mackay Street
Thames 3500

Council Contact Details

Enquiries

Please contact our **Customer Services Team**

District Office:	07 868 0200
Fax:	07 868 0234
Coromandel:	07 866 1001
Mercury Bay:	07 867 2010
Whangamata:	07 865 0060
E-mail:	customer.services@tcdc.govt.nz

RMA2018/203 - Williamson Park, Whangamata

Office use only

DATE & TIME RECEIVED	RECEIPT NO.	DATAWORKS NO.	APPLICATION NO.	PROCESSING OFFICER