

3.1 Reserves available for Licensed Commercial Operators

TO Mercury Bay Community Board
FROM Derek Thompson, Community Facilities Manager
DATE 19/10/2021

1 Purpose of report

The purpose of this report is to present to the Mercury Bay Community Board a list of proposed reserves available for Licensed Commercial Operators.

2 Summary

During Council's Long Term Plan deliberations, there was consideration given towards better charging mechanisms for Commercial Licensed Operators on Reserve Land. Council deferred a decision on this and requested officers do further work with the intention of making changes to the existing regime and putting in place new fees and charges for the 2022/23 Annual Plan.

It is suggested that Council adopt a unified district wide approach of managing Licensed Commercial Operators on Reserve land via a Weighted Tender process, rather than the current charging mechanism.

For reference the **Attachment A** - 14 September 2021 - Comprehensive Report to Council is attached.

Currently when applying for a Commercial Operators License, the applicant advises Council where they wish to operate and it is up to staff to investigate the suitability of the site before staff recommend to the Community Board to approve/decline the application. A set fee is applied depending on whether the license is for the peak period or year round, and the number of sites applied for.

With the Weighted Tender process, a list of suitable sites and license types will be advertised. Applications will be received, assessed and provided to the Community Board and Council for final approval.

The benefits to the applicants is that uncertainty around site suitability is removed, as only suitable sites will be made available. Community Board involvement is key as each Board will have input and veto over site suitability, the number and type of licenses.

The primary purpose of this report is to select the appropriate reserves available for a Commercial Operator License and the types and number of licenses. The list is compiled by an overview of previously occupied sites and potential locations. The list has been reviewed by staff and suitability assessed in accordance with the Reserve Management Plan. The board may want to add sites, amend sites or veto sites.

By way of explanation, License types are split into two broad categories;

Food - The licensee is heavily focused on food, beverages or produce and has to comply with additional requirements such as food safety etc. This License type generally has a greater impact

upon reserves as they are generally trading at a site longer during any given day, and may set up a site more days than an activity license. They are generally less weather or environmentally dependent. Generally most sites would have capacity for only one of these license types. An example of this license type is a coffee cart.

Activity - this licensee is heavily focused on providing a paid to participate activity and may have to comply with additional requirements such as maritime safety etc. This license type generally has a lesser impact upon reserves as they are generally trading at a site for less hours during any given day and potentially less days than a food license. They are generally more weather and environmentally dependent. It is possible that there could be capacity at a particular site for more than a single activity license as they are not unduly competitive of each other. An example of this license is a kayak hire.

The sites proposed in the Mercury Bay ward are as follows;

Area	Site	Reference	Type of license		Proposed number of licenses		Total suggested number of licenses
			Food / produce	activity	Food / produce	activity	
Hot Water Beach	Te Puia - Hot Water Beach	2.1	X	X	1	1	2
Whangapoua	Meri Te Tai Mangakahia Reserve	2.2	X	X	1	1	2
Whitianga	Buffalo Beach Reserve (south of Taputapuatea Stream)	2.3	X	X	2	2	4
	Mercury Bay Multisport Park	2.4	X		1		1
	Buffalo Beach - Esplanade Reserve	2.5		X		3	3
	Ohuka (Brophy's Beach)	2.6	X	X	1	1	2
	Robinson Road Estuary	2.7		X		2	2
Hahei	Hahei Beach Recreation Reserve	2.8		X		3	3
	Ko Tahuri-ki-te-Rangi Reserve (Wigmore Stream)	2.9		X		2	2
Cooks Beach	Purangi Reserve	2.10	X	X	1	2	3
	Cooks Beach Central Reserve	2.11		X		3	3
Ferry Landing	Front Beach - Whakapenui Point Reserve	2.12		X		1	1
Kuaotunu	Quarry Point Boat Ramp	2.13		X		1	1
	Kuaotunu Recreational Reserve	2.14		X		1	1

	Rings Beach West Reserve	2.15		X		1	1
Matarangi	The Village Green - Matarangi	2.16	X	X	1	1	2
	Central (Dune) Reserve	2.17	X		1		1
	Bluff Road Reserve	2.18		X		1	1
Wharekaho	Kahuriwhenua Reserve (Simpsons Beach)		X	X	0	0	0
Opito Bay	Matapaua Bay Road	2.19		X		1	1
	Moore Crescent Reserve			X		0	0
Otama	Otama Beach Reserve	2.20		X		1	1

The timeline for the Weighted Tender process is as follows:

November - Proposed Sites are taken to all five Community Boards for consideration.

December - Weighted Tender process is taken to Council for sign off.

February - March: Advertise for and receive applications.

April - Staff review applications.

May - Applications are taken to Community Boards for decision.

June - Community Board decisions are taken to Council for final sign off. Applicants are notified of outcome.

July - Commercial license period begins for successful applicants.

3 Suggested resolution(s)

That the Mercury Bay Community Board:

1. Receives the 'Reserves available for Licensed Commercial Operators' report dated 14 October 2020.

2. Approves the following proposed sites available for Licensed Commercial Operators:

Area	Site	Reference	Type of license		Proposed number of licenses		Total suggested number of licenses
			Food / produce	activity	Food / produce	activity	
Hot Water Beach	Te Puia - Hot Water Beach	2.1	X	X	1	1	2
Whangapoua	Meri Te Tai Mangakahia Reserve	2.2	X	X	1	1	2
Whitianga	Buffalo Beach Reserve (south of Taputapuatea Stream)	2.3	X	X	2	2	4
	Mercury Bay Multisport Park	2.4	X		1		1

	Buffalo Beach - Esplanade Reserve	2.5		X		3	3
	Ohuka (Brophy's Beach)	2.6	X	X	1	1	2
	Robinson Road Estuary	2.7		X		2	2
Hahei	Hahei Beach Recreation Reserve	2.8		X		3	3
	Ko Tahuri-ki-te-Rangi Reserve (Wigmore Stream)	2.9		X		2	2
Cooks Beach	Purangi Reserve	2.10	X	X	1	2	3
	Cooks Beach Central Reserve	2.11		X		3	3
Ferry Landing	Front Beach - Whakapenui Point Reserve	2.12		X		1	1
Kuaotunu	Quarry Point Boat Ramp	2.13		X		1	1
	Kuaotunu Recreational Reserve	2.14		X		1	1
	Rings Beach West Reserve	2.15		X		1	1
Matarangi	The Village Green - Matarangi	2.16	X	X	1	1	2
	Central (Dune) Reserve	2.17	X		1		1
	Bluff Road Reserve	2.18		X		1	1
Wharekaho	Kahuriwhenua Reserve (Simpsons Beach)		X	X	0	0	0
Opito Bay	Matapaua Bay Road	2.19		X		1	1
	Moore Crescent Reserve			X		0	0
Otama	Otama Beach Reserve	2.20		X		1	1

References-Tabled/Agenda attachments

1. Attachment A - Comprehensive Report - Charging for Licensed Commercial Operators on Reserve Land. Weighted Tender Report
2. Attachment c - Maps of Mercury Bay reserves available
3. Attachment B - List of reserves available in the Mercury Bay ward