Draft Policy for the Use Public Space 2019 14 July 2019

Palmerston North City Council

Palmerston North

Railway land Action Group Inc,

c/o Mrs Marilyn Bulloch

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**Submission - Draft Policy for the Use of Public Space, June 2019**

**Preliminary Comment**

This Draft Policy is based on the assumption that Public Space is available for use. An observation is that Public Spaces are gradually diminishing, especially in the older area of Palmerston North. Parks and Reserves are constantly being under threat of being sold off or developed, and therefore no longer available for public use. Also, this loss of public space leads to increasing pressure on the use of the remaining land or space.

The publicity photo on the front of the consultation document shows what is normally the driveway to the back of the All Saints Church being used for an event. To the right in the photo is the Council owned Square Edge building and to the left All Saints Church which is a known earthquake hazard.

Public land is also under increasing demand to be leased out for long term commercial activity which may preclude it’s use by the general public. The Reserves Act 1977 addresses this matter, but the Act may be over-ridden with councils having delegated powers which enables them to over-ride the Act.

1. **Do you agree with the proposed assessment criteria?**

We support most of the assessment criteria with some exceptions and additions.

 We would take issue with one of the criteria which states: Provides an experience rather than a simple commercial exchange. Providing an experience is an extremely subjective matter. For example, would a Gypsy Fair on the Railway Land provide more than of an experience than a Motor-Home show? In making an assessment of whether an event should be allowed on a public space providing “an experience” should be removed as a criterion. Therefore, remove this criterion.

Add a further criterion which asks: Does the use of the particular public space conform to the District Plan, the Reserves Act 1977 and any Management Plans for the land, and any other legislation?

Add a further criterion which asks: Are all health and safety requirements being assessed and met? For example, bouncy castles are very popular. Has it been adequately secured? Could it come loose?

1. **Is there anything else you would like to add?**

We have a concern over the permanent commercialisation of public space by way of granting leases for private commercial benefit. Some of these activities could be located on private land if the business so chose. Parks should be seen as areas of tranquillity, not areas of commercialisation.

**Administration of the Use of Public Space Policy**

**Questions that need to be asked.**

Administration Policy Manual or Appendix

Is there is a need to support this policy with some kind of administration manual or appendix?

Administration of Policy

How would this policy be administered within Council itself? Who, within Council, would take responsibility for the administration of the Policy?

Time Restraints on applications

Would there be any time restraints on applications for larger events requiring Council permission?

Right of Appeal

Would there be any right of appeal and to whom if the request for the activity is rejected?

Alterations to landscape

What alterations to the landscape would be required in order for the activity to proceed? For example, would trees or other vegetation need to be pruned or cut down?

Compliance

Who, within Council, would take responsibility for compliance once an activity is underway?

Responsibility for repair of damage to site

Repair of damage to council land from the activity needs to be addressed. This has been a problem in the past. For example, two past events on the Railway Land led to damage. This included a failure to restore the turf to a satisfactory standard after the 2009 Young Farmers contest held in July 2009. As part of the activities the soil was dug up. The restoration job left the turf looking more like a farm paddock. It took at least a year for the grass to recover to its former state.

A second lot of major damage occurred in October 2017 when a period of wet weather saw the Webb Bros circus leave the Railway Land in a very muddy mess following their departure from the City. Council staff member, John Brenkley, was quoted as saying that the $800 bond would not cover the repair damage to the land. (See Manawatu Standard article by Janine Rankin dated 18/10/2017). Again, the land took some time to recover. We also later noticed an infestation of prickly problematic Onehunga Weed which we reported to Council.

We wish to speak to our submission.