

8. PROPOSAL TO RUN INSTRUCTION COURSES AND SURFBOARD HIRE ON NEW BRIGHTON BEACH

Officer responsible Parks and Waterways Manager	Author Tony Hallams - Policy and Leasing Officer, DDI 941-8320
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The purpose of this report is to present to the Community Board an application by T and D O'Rourke on behalf of the South Island Surf Company for a licence to run instruction courses on surf board riding on a part of the beach at New Brighton, and to dispense hired surfboards from a mobile rack.

SCOPE AND RELEVANT CURRENT POLICY

Under a Council Resolution dated 10 December 2001 the Community Board has delegated authority to grant a licence for the proposed activity pursuant to Section 61 of the Reserves Act 1977.

DESCRIPTION OF PROPOSAL

The applicant seeks approval from the Council to use a 20m² area of the beach at New Brighton during the summer months of December, January and February between 9.00 am and 6.00 pm, seven days per week, for the purposes of running surf training schools and dispensing hired surfboards from a mobile rack. The area intended to be licensed for a three year period is shown on the attached plan, Appendix One. A brief description of the South Island Surf Company and its activities is detailed in the information leaflet attached as Appendix Two.

It is proposed that each surfboard riding lesson will last for up to 1.5 hours, and will primarily cater for foreign language students. The Company Director and Coach David O'Rourke has provided evidence that he has completed the course work component of the practical coaching and teaching experience requirement of the New Zealand Surf Riders Association Level One Coaching Accreditation Scheme. The form of a training session is shown in the photograph provided by the applicant under Appendix Three.

A description of the proposed mobile rack for the display of hire surfboards is detailed under Appendix Four. The intended mobile storage rack will be 1.9 metres high and 1.5 metres long, holding up to six surfboards, one skim board, one boogie board, and 12 wetsuits.

It is intended that any payments by students or customers to attend the surf school or hire surfboards will be undertaken at the applicant's surf company shop at Shop 12, New Brighton Mall. Changing facilities for male and females are provided at the rear of the shop. Any surf school attendee would have access to toilets serving the applicants shop or public toilets in close proximity. No trading activities will take place within the licensed area.

ISSUES FOR CONSIDERATION

Appropriateness of Proposed Activities in a Local Purpose (Esplanade) Reserve

The applicant's proposal for a licence to run a surf school on a small section of beach is not inconsistent with the classification of esplanade reserve, which allows for activities that interface between land and water provided that the public access by foot is not impeded.

The Council is able to authorise the intended activity under the leasing provisions of Section 61 of the Reserves Act 1977.

The proposed activity is not considered inappropriate given the fact that surf life saving clubs along the coastline run training activities at times of a similar scope.

While any surf school attendee would change into swimming/surf hire gear at the applicant's shop, there is a need for the mobile rack to be located on the beach to service the needs of the surfboard riding school when in operation.

Any hiring of surfboards from the beach would have to be treated as a separate activity. The applicant has indicated that all monetary transactions for hire will take place at the applicant's shop. The scale of the intended operation appears to small and will most likely blend into the beach scene.

Public Access to 20m² of Beach Area Sought to be Licensed

The applicant accepts that if granted a licence over a section of the beach area for the above activities the applicant would be bound by the Reserves Act 1977 in relation to esplanade reserve, which reserves the free right of public access at all times.

CONCLUSION

It is considered that if permission was granted to the applicant to undertake these activities this would not impede the right of the public to pass and repass freely over the reserve on foot.

The location of small surfboard training classes on the section of beach sought would not be incompatible with similar surf lifesaving club activities held along the coast during summer. The mobile surfboard rack is relatively small and would only occupy an area of 1.5m² during the day.

NATURAL + PEOPLE + ECONOMIC STEP ASSESSMENT

#	CONDITION:	Meets condition ✓/0*	HOW IT HELPS MEET CONDITION:
The Natural Step			
N1	Reduce non-renewable resource use	0	N/A
N2	Eliminate emission of harmful substances	0	N/A
N3	Protect and restore biodiversity and ecosystems	0	N/A
N4	People needs met fairly and efficiently	NA	N/A - See People Step + Economic Step
The People Step			
P1	Basic needs met	✓	Teaches those that wish to learn, how to use a surfboard safely.
P2	Full potential developed	✓	Enhances people's physical and mental health.
P3	Social capital enhanced	✓	Enhances a place for people to come together.
P4	Culture and identity protected	0	N/A
P5	Governance and participatory democracy strengthened	0	N/A
The Economic Step			
E1	Effective and efficient use of all resources	✓	The community will benefit from the activity. For example, Company Director and Coach made a surf rescue last year on a member of the public when instructing class members.
E2	Job rich local economy	✓	Will make the existing business sustainable for the applicant.
E3	Financial sustainability	✓	

Staff

Recommendation: That the Board resolve to licence 20m² approximately of Esplanade Reserve on which to establish a surfboard riding school and surfboard dispensing facility pursuant to Section 61 of the Reserves Act 1977 for a period of three years subject to:

1. The area covered by the licence agreement, excluding the 1.5m² set aside for the display and dispensing of surfboards from the mobile rack, to be available for public use at all times.
2. Any signage associated with the surf training school and surfboard hire to be confined to the mobile rack and in accordance with the dimensions as detailed in the specifications provided by the applicant.
3. The licence terms being negotiated by the Property Manager in consultation with the Parks and Waterways Unit Policy and Leasing Administrator.
4. The Property Manager being authorised to administer the terms and conditions of the new licence.
5. The licensed area being maintained by the South Island Surf Company in a safe and tidy condition at all times.
6. The South Island Surf Company to show proof of having obtained \$1,000,000 public liability insurance before commencing any commercial activities from the site, which is to be kept current for the duration of the licence period.

7. The South Island Surf Company showing proof of having a health and safety plan in place to cover the activities of the surf training school.
8. The licence agreement terminating with no compensation payable to the licensee should the lease be surrendered or terminated for any reason.

**Chairperson's
Recommendations:**

1. That the Board resolve to licence 20m² approximately of Esplanade Reserve on which to establish a surfboard riding school and surfboard dispensing facility pursuant to Section 61 of the Reserves Act 1977 as a one year pilot programme subject to the abovementioned conditions.
2. That the Board investigate the provision of a beach hut for this project.