

REGULATORY PROCESSES COMMITTEE

18 SEPTEMBER 2013



REPORT 6
(1215/53/IM)

PROPOSED COMMUNITY GARDEN LICENCE TO THE NEWTOWN RESIDENTS ASSOCIATION INCORPORATED: CARRARA PARK, 107 DANIELL STREET, NEWTOWN

1. Purpose of report

To recommend the Committee grants a Community Garden Licence to the Newtown Residents Association Incorporated over part of Carrara Park, Newtown (shown highlighted green in Appendix 1).

2. Executive summary

The Newtown Residents Association is seeking to establish a community garden in the hopes of enabling a greater sense of community, improving safety in the park and growing low-cost local vegetables.

After hours Carrara Park is used as an illegal drinking area and is regularly tagged. Officers anticipate that by improving community interaction with the park it will become a safer area.

The land is held as Recreation Reserve and forms part of the Central City Reserves cluster. Therefore the provisions of the Reserves Act 1977 apply.

This report recommends the Committee grants a community garden licence for a five year term.

3. Recommendations

Officers recommend that the Regulatory Processes Committee:

- Receive the information.*
- Agree subject to the terms and conditions noted below, to grant a community garden licence to the Newtown Residents Association Incorporated in accordance with the Reserves Act 1977.*
- Note that the proposed licence terms will include:*
 - Location: Part of Carrara Park, 107 Daniell Street, Newtown (shown highlighted green in the plan attached at Appendix 1)*
 - Term: Five years*
 - Annual Fee: \$1 per annum plus GST*
 - Special Conditions: Wellington City Council to pay up to \$300.00 per annum (plus GST) of the metered water. The Newtown Residents Association will pay metered water charges above \$300.00 per annum (plus GST).*

4. *Note that any approval to grant the licence is conditional on:*
 - (i) *appropriate consultation with Iwi being completed;*
 - (ii) *the licence being publicly notified in accordance with section 119 and 120 of the Reserves Act 1977;*
 - (iii) *there being no sustained objections resulting from the abovementioned consultation or notification; and*
 - (iv) *the legal and advertising costs associated with preparing the licence is met by Newtown Residents Association.*

5. *Agree that Council officers will finalise and negotiate the licence details.*

4. Background

The proposed community garden is at Carrara Park located at 107 Daniell Street Newtown. The proposed license area is shown highlighted green on the plan attached as Appendix 1.

4.1 The site

Carrara Park is a suburban park in the heart of Newtown. It has a well used play area and is a pedestrian thoroughfare connecting Owen and Daniell Streets. The park is occasionally used as a kick-about-area and an event stage is parked here for the Newtown Festival each year.

However, it is an area which causes concern due to night time drinking. There is an underutilised basketball court at the far end of the park which is 'dark and secluded' and is targeted for questionable night-time activities. A short City Safety report on the park is attached as Appendix 2.

The Park is accessible from Daniell Street and Regent Street. It is bordered by residential properties; most with high fences (some with gates). The park has been planted around its boundary with medium sized deciduous trees.

The land is managed as Recreation Reserve and the Reserves Act 1977 (Reserves Act) apply.

The proposed license area is 460m² being part of Lot 1 DP 75223 CFR WN42A/373.

4.2 The proposed licensee

The gardening group will include a number of the neighbouring residents who surround the park, members of the Newtown gardening club, and a group of 'guerrilla gardeners' who have been gardening on an empty nearby site.

The group has support from the Newtown Community Centre, The Newtown Gardeners Club, Urban Vision, the Local Food Network, Innermost Gardens, Wellington Timebank, Ink/Greenhaus and Blueprint community groups, the Sustainability Trust and various residents of Daniell Street Flats and Te Ara Hou Flats. If the Committee approves this application, a notice will be placed in the letterbox of all the neighbouring properties advising them of the proposal and inviting them to participate in the community gardens project.

5. Considerations when assessing a new licence

5.1 Assessment of Proposal

The proposed licence has been assessed against the criteria set out in the Leases Policy:

Criteria		Assessment
Strategic Fit	Social & Recreation Strategy	The group's activities are consistent with other permitted activities on reserves land and satisfy the criteria of recreational/community use.
Activity Sustainability	Membership	The group has a good number of initial members and interested from surrounding neighbours and other community organisations groups to further develop their membership. They have excellent networks throughout Newtown.
	Financial Position	The proposed licensee's financial position is satisfactory.
Use of Resources	Land Utilisation	The group's intention is to bring more community and activity to a park which is frequently under utilised.
Environmental Impact	Location	The activity will reduce the available open space, but this will be replaced with a valid alternative recreation activity.
Demonstrated Need & Support from the Community	Community	The group has the support of numerous neighbours, street residents and local community groups. The group plans to work with city housing and other surrounding organisations to increase community involvement in the project.
Legal Instrument	Licence	A licence is the appropriate instrument to use as the group will not have exclusive use of the land.

5.2 Licence Fee

The annual licence fee has been assessed at \$1 per annum plus GST. This is keeping with Council's Leases Policy and is consistent with other community garden projects.

5.3 Tenure

Officers propose granting a shorter term of five years to enable officers to review activities and the licensee.

6. Conclusion

Council officers recommend that the Regulatory Processes Committee approves the proposed licence to Newtown Residents Association Incorporated.

Contact Officers: *Sarah Adams, Community Advisor, City Communities & Terry Baxter, Reserves Planner, Parks, Sport & Recreation*

SUPPORTING INFORMATION

1) Strategic fit / Strategic outcome

The provision of this licence is consistent with the Council's Leases Policy for Community and Recreation Groups.

The project aims to foster community involvement and create opportunities for enjoyment, education and cooperation of its members and the wider community, which reflects the outcomes the Council aims to achieve.

2) LTP/Annual Plan reference and long term financial impact

There is no financial impact.

3) Treaty of Waitangi considerations

No Treaty implications have been identified.

4) Decision-making

This is not considered a significant decision.

5) Consultation

a) General consultation

Public consultation has been undertaken with local residents. The proposal will be notified in accordance with the requirements of the Reserves Act 1977.

b) Consultation with Maori

Iwi will be consulted.

6) Legal implications

The licence will be subject to the provisions of the Reserves Act 1977.

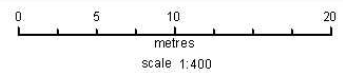
7) Consistency with existing policy

The provisions of the licence are consistent with the Leases Policy for Community and Recreation Groups.

Appendix 1



Community Gardens - Proposed licence area Carrara Park, Newtown



Property boundaries, 20m Contours, road names, rail line, address & title points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m.

MAP PRODUCED BY:
Wellington City Council
101 Wakefield Street
WELLINGTON, NZ

ORIGINAL MAP SIZE: A4
AUTHOR: presto2j
DATE: 10/09/2013
REFERENCE:



APPENDIX 2 - Safety Report Carrara Park

Hierarchy of space / way finding

The park provides a safe play area for young children, an open green oasis in an otherwise crowded group of housing and also contains a hard surface sports area. The park provides a walkway access from Regent street through to Daniell street. The 24hour walkway has no territorial separation from either the sports or green areas. There is no thoroughfare signage to inform pedestrians that this 'shortcut' exists.

Lighting, sightlines and entrapment

The walkway through the open park area is lit with pole mounted spheres. They are inefficient when used for outdoor lighting. The walkway from the park to Daniell Street is lit by bollards. By lighting from a low height, bollards either do not provide satisfactory uniformity of lighting levels or produce glare that further reduces visual performance. These bollards produce unacceptable glare. Light meter readings within the walkway typically range between 7 and 0.6 lux (eph)

Sightlines through the majority of the park is good, however there is some limited visibility when walking up the path into the park from Daniell Street. There are potential entrapment spots.

Hierarchy of space / way finding

Carrara Park appears to be designed to provide the community with three main purposes, a small children's play area, a sports area and a thoroughfare. The small children's play area has been noted during several daytime audits to be well used, but not the hard court sports area. There is no thoroughfare signposting. This is a large, valuable area that seems to currently be grossly under-utilised.

Lighting, sightlines and entrapment

The current layout of the Carrara Park prevents natural surveillance from adjacent homes and creates entrapment opportunity for pedestrians using the poorly lit thoroughfare.