

**Mayor and Councillors**  
COUNCIL

6 DECEMBER 2018

Meeting Status: **Public**

Purpose of Report: For Decision

**LICENCE WITH PAEKĀKĀRIKI ORCHARD AND GARDENS  
INCORPORATED AT TILLEY ROAD RESERVE**

**PURPOSE OF REPORT**

- 1 This report seeks approval to enter into a new licence with Paekākāriki Orchard and Gardens Incorporated (POG), at Tilley Road Reserve, Paekākāriki.

**DELEGATION**

- 2 The land is owned by the Crown and is reserve land subject to the Reserves Act 1977 (the Act). Council was appointed to control and manage the land in 2015 and must do so in accordance with the provisions of the Act relating to Recreation Reserve. As the land ownership is Crown, the proposed licence must be considered under section 59A(1) of the Act, which requires licences to be granted in accordance with Part 3B of the Conservation Act 1987 (Conservation Act).
- 3 The Council has the authority, as a delegate of the Minister of Conservation through the 2013 Delegation of Powers under the Reserves Act 1977 (the Act), to consider licences on Recreation Reserve that is owned by the Crown, and controlled and managed by the Council.

**BACKGROUND**

- 4 This licence area would be for part of the land known as Tilley Road Reserve and more particularly the area shown in red in Appendix 1 and being part of the land defined as Section 1 SO 481914.
- 5 Prior to 2015, the land was managed and controlled by Greater Wellington Regional Council (GWRC) as part of Queen Elizabeth Park. The Queen Elizabeth Park Management Plan 2006 (QEPMP), prepared under the Reserves Act 1977 by GWRC, remains the current reserve management plan for Tilley Road Reserve until a new reserve management plan supersedes it. A new reserve management plan will be prepared as part of the district-wide reserve management plan project, commencing in 2019.
- 6 The Council Policy for Community/Mara Kai Gardens (the Policy) was approved by the Environment and Community Development Committee on 4 February 2010. The Policy was subsequently amended and approved by Council at its meeting on 18 March 2010 to clarify provisions and facilitate administrative efficiency.
- 7 The Paekākāriki Community Board has the delegation under the Governance Structure and Delegations 2016-2019 triennium for approving or rejecting applications by community groups to establish community gardens, in

accordance with the licensing requirements under the Reserves Act 1977 and the Policy.

- 8 As this is reserve land, the Paekākāriki Community Board is not currently able to grant licences on reserves but can make a recommendation to Council to consider granting the proposed licence to POG for the community garden.
- 9 On 13 November 2018, the Paekākāriki Community Board received a report seeking approval of the community garden application and for making a recommendation to Council to grant a licence.
- 10 The Paekākāriki Community Board made the following resolutions:
  - That the Paekākāriki Community Board approves the application made by Paekākāriki Orchard and Gardens Incorporated.
  - That the Paekākāriki Community Board makes recommendations to Council that Council considers granting a licence and approves the Chief Executive to enter into a licence for four years to Paekākāriki Orchard and Gardens Incorporated, for the land at Tilley Road Reserve, Paekākāriki shown in Appendix 1 to report CS-18-651 at an annual rental set by the Council in the Long Term Plan or Annual Plan.
- 11 The Policy requires community gardens to have an initial one year trial with a review if the project is operating to the satisfaction of all parties involved. A one year trial period (Stage 1) has been completed for a smaller area called the Potato Patch. A review has occurred, with a successful year for POG and the resolution of any issues that have arisen from a reserve management perspective.
- 12 The one year trial was successful and Council officers consider the activity is compatible with the purpose of the reserve.
- 13 The Policy sets out that after the initial one year trial and review, an additional licence period of up to a maximum of four years at a time can be granted.
- 14 POG has requested that Council consider granting a licence in order to continue with the community orchard and garden activity in Tilley Road Reserve and to use a larger area of the reserve.
- 15 POG has submitted a Proposal and Management Plan for Paekākāriki Orchard and Garden: Stage 2. The proposal is attached at Appendix 3.
- 16 The proposed licence area applied for consists of dunes and hollows with open grass areas. The vegetation is predominantly grass with some weed species occurring and some naturally regenerating indigenous vegetation. There are also some pine trees that Council may look at removing in the future. The area has largely been unmanaged and this development will improve the area over the long term.

## **ISSUES AND OPTIONS**

### **Issues**

- 17 In the QEPMP, the land is located in Zone 2 Recreation Areas. The community garden licence is a restricted activity in this zone. This means that applications need to be considered on a case by case basis in accordance with the factors

outlined in the QEPMP policy for Assessing Effects of Activities and Uses. This policy sets out that licences can only be granted for activities which are:

- Consistent with the objectives and policies of the QEPMP; and
  - In accordance with the provisions of the Reserves Act 1977; and
  - Exclusive use will not be granted for all or parts of the park for more than 40 days in any one year or more than 6 days consecutively without the express permission of the Minister of Conservation.
- 18 Council officers consider that the licence proposal is in accordance with this QEPMP policy and is in accordance with the Reserves Act 1977. The proposed licence would be for non-exclusive use of the licence area.
- 19 Council officers have assessed the Proposal and Management Plan for Paekākāriki Orchard and Garden: Stage 2 and consider that the proposal meets the selection criteria set out in the Policy. It is expected that the management plan is a working document and will be updated by POG, on agreement with Council officers, as the project develops and as any issues requiring management arise.
- 20 The proposal covers a larger area than many community gardens. The implementation of the plan will be phased over time. Council officers and the POG committee will agree on an annual basis as to what new gardens and orchard areas can be created in the following year, so that planted areas will be able to be maintained within the resources of the group. Conditions in the proposed licence will address how this will happen.

## **CONSIDERATIONS**

### **Policy considerations**

- 21 This community garden will be subject to the provisions contained in the Council Policy for Community/Mara Kai Gardens. There are no other policy implications.

### **Legal considerations**

- 22 Section 74(2)(a) of the Act enables, where in the opinion of the administering body, it is necessary or desirable for the management of the reserve for the purpose for which it is classified, licences to occupy any recreation reserve, or any part of any such reserve, may be granted for the purpose of gardening.
- 23 The Council is able to grant a concession, which includes a lease, a permit or licence under section 59A of the Act, in accordance with Part 3B of the Conservation Act. While section 59A specifically states that the "Minister" may grant a licence, in the present circumstances, the Minister has delegated their power to grant a concession to any territorial authority appointed to control and manage a reserve.
- 24 While the Minister has delegated the power to a local authority, there are matters that the Council must consider before the licence is granted. These matters are set out in section 17U of the Act, and can be found in Appendix 4 of this report.
- 25 If the proposed licence is approved, new licence documentation will be drafted and will be reviewed by the Council's legal counsel before being presented to Paekākāriki Orchard and Gardens Incorporated for signing.

## Financial considerations

- 26 The licence will include annual rental to be paid at the appropriate rate set annually by the Council in either the Long Term Plan or Annual Plan.
- 27 The proposed licence area has been a low maintenance area and there is currently limited budget available for a minimal amount of increased maintenance.
- 28 Community Gardens on reserve land can sometimes have a consequential effect of requiring additional budget from Council to contribute to maintaining the area. Minor additional maintenance requests can be covered within existing budgets.

## Tāngata whenua considerations

- 29 Ngāti Toa Rangatira and Ngāti Haumia have both advised that they are supportive of the community garden proposal.

## SIGNIFICANCE AND ENGAGEMENT

### Significance policy

- 30 This matter has a low level of significance under Council policy.

### Consultation already undertaken

- 31 Council officers have consulted with adjoining residents through a letter drop. Three written submissions and one verbal submission were received.
- 32 A table summarising concerns that were raised and considerations made in respect of these concerns is attached at Appendix 5.

### Engagement planning

- 33 An engagement plan is not needed to implement this decision.

### Publicity

- 34 As this licence would be for less than 10 years, no public notification is required under the Reserves Act or the Conservation Act.

## RECOMMENDATIONS

- 35 That Council grants a licence and approves the Chief Executive to enter into a licence for four years to Paekākāriki Orchard and Gardens Incorporated, for the land at Tilley Road Reserve, Paekākāriki shown in Appendix 1 to report CS-18-681 at an annual rental set by the Council in the Long Term Plan or Annual Plan.

**Report prepared by**      **Approved for submission**      **Approved for submission**

Kate Brown

Kevin Black

Sean Mallon

**Parks and Recreation  
Planning Officer**

**Acting Group Manager  
Strategy and Planning**

**Group Manager  
Infrastructure Services**

## **ATTACHMENTS**

Appendix 1 - Proposed Licence Area

Appendix 2 - Council Policy for Community/Mara Kai Gardens

Appendix 3 - Proposal and Management Plan for Paekākāriki Orchard and Garden:  
Stage 2

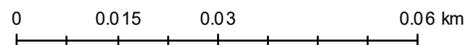
Appendix 4 - Matters to be considered by Minister

Appendix 5 - Consultation concerns and considerations

Appendix 1 - Proposed Lease Area



Scale @ A4 - 1:1,129



Kapiti Coast District Council accepts no responsibility for incomplete or inaccurate information contained on this map. Use of this website is subject to, and constitutes acceptance of the conditions set out in our disclaimer. This publication is copyright reserved by the Kapiti Coast District Council. Cadastral and Topographic information is derived from Land Information New Zealand, CROWN COPYRIGHT RESERVED.



## **Council Policy for Community/Mara Kai Gardens**

### **Policy and Selection Criteria**

- 1) Council will enable the establishment of community gardens/mara kai on public open space, provided public use and access to the land is maintained.
- 2) Community gardens will not normally be considered in premier parks or in coastal or native regeneration management areas but could be considered if no other suitable land is available in the area.
- 3) The location of community gardens should only be on reserves or Council land that is reasonably enclosed, preferably on back sections for security, and where that use is consistent with the purpose of the reserve.
- 4) Only one building per community garden site is allowed. That building should not exceed 24m<sup>2</sup> in size, must comply with the District Plan and have any necessary building or resource consents.
- 5) Council will not supply potable water for community gardens but may assist with a Community Board grant to establish a water bore.
- 6) Community gardens must operate on a not for profit basis.
- 7) Prospective community garden groups are required to submit a written application.
- 8) The application shall contain a community garden management plan and will be assessed by the relevant Council Asset Manager in accordance with set criteria as listed.
- 9) Following the initial assessment, which will include consideration of a licence to occupy, officers will consult with adjoining residents and report to the relevant Community Board.
- 10) The delegation for approving community garden proposals rests with the relevant Community Board which may either approve or reject the application but may not amend the proposal other than as recommended by Council officers.
- 11) If the application is approved by the Community Board, the approval would still be subject to the requirement to obtain a licence to occupy the land. The decision on and preparation of any licence is subject to the Reserves Act 1977 and would be done under the appropriate officer's delegated authority.

- 12) The maximum term of any initial licence to occupy the land will be one year on a trial basis. The community garden will be reviewed after the first year by the appropriately delegated Council officer and the licence may be extended up to a maximum of four years at a time at the sole discretion of the Council officer. The maximum combined period of any licence will not exceed five years. Annual rental be set in line with existing reserves charges currently \$170 per annum.
- 13) The lessee will not be able to sublease to individuals.
- 14) Community gardens must meet all necessary health and safety requirements.
- 15) Community garden groups should have public liability insurance if deemed necessary following legal advice.

### ***Application and Selection Criteria***

- 16) The purpose and objectives of the community garden groups.
- 17) Benefits of the garden to the local area and community including who will benefit from the produce.
- 18) Linkages with other community groups or initiatives.
- 19) Whether the proposal outlines innovative urban sustainability techniques, for example water conservation.
- 20) The proposed organisational structure and fees if applicable.
- 21) Identified liaison person for the community garden groups.
- 22) Skills and competencies of group members.
- 23) An estimated budget, timeline for establishment, maintenance regime for the area and funding sources.
- 24) Process for gardeners to make decisions and resolve conflict.
- 25) Training and induction of new gardeners.
- 26) Size of land required, parking and storage requirements etc.
- 27) How proposal fits and is consistent with reserve purpose and existing reserve management plans.
- 28) The standard Community Garden Management Plan which should include:
  - Organisational structure and meeting requirements
  - Horticultural methods
  - Mowing and maintenance
  - Weed and pest control

- Composting
- Safety, security and vandalism
- Structure and storage
- Aesthetics and tidiness
- Signage
- Noise and odour

29) Whether the natural and physical characteristics are conducive to successful community gardening such as aspect, topography, soil type etc.

30) Access to the site.

31) Health and safety issues being properly considered and addressed.

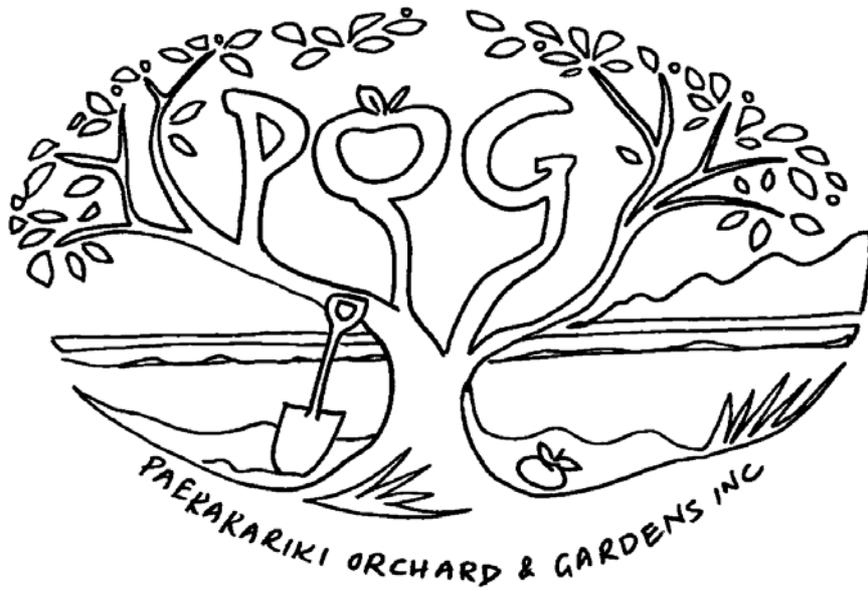
32) Whether the site has good infrastructure such as drainage and bore water supply.

33) Compliance with any building or resource management regulations.

34) How the proposal fits with Council policies, strategies and plans.

35) Potential conflict with adjoining land uses.

36) How much reserve land has been allocated to similar activities within the area



## Proposal and Management Plan for the Paekakariki Community Garden and Orchard: Stage 2

Prepared by Paekakariki Orchard and Gardens Incorporated (est. 2013)

September 2018



## 1. Document control

<b>Document reference:</b> Proposal and Management Plan for the Paekakariki Community Garden and Orchard Stage 2						
<b>Version</b>	<b>Purpose</b>	<b>Originated</b>	<b>Checked</b>	<b>Reviewed</b>	<b>Authorised</b>	<b>Date</b>
1.0	Internal review	HS, CDH	HS	CH	CDH	16-09-18
2.0	KCDC Review	HS, CDH	JO			

## 2. Purpose

The purpose of this document is to provide a proposal for the continuation and expansion of the Paekakariki Community Garden and Orchard (Stage 2) and to detail a robust management plan to be implemented by Paekakariki Orchards and Gardens Incorporated (POG) following the agreement with Kapiti Council for the use of an area of Reserve land between the Horse Track and the Paekakariki holiday camp.

## 3. Recent History

In October 2017, POG took the first steps towards establishing a long-discussed community garden with the planting of a potato patch and a pumpkin patch by the community at the eastern end of the site.

This was done under a one-year Memorandum Of Understanding (MOU) (Stage 1), and due to the success of the activities over the last year it's clear that POG has a stirring mandate from the community to continue to develop plans for a community garden and orchard and now extend the area of the community garden in line with the proposal for Stage 2 detailed below.

## 4. Paekakariki Orchard and Garden Group (POG)

An incorporated society, POG meets regularly and has been fundraising with market stalls of local produce over the last five years to accumulate a healthy reserve to enable the funding of this endeavour. In this time the group has worked actively on a number of smaller garden projects, fundraised and erected a greenhouse at Paekākāriki School (with funding from Ngati Toa), and supported the highly successful community garden at Paekākāriki School. The group has already become an important network of exchange for our community gardeners.

[Click here for the POG Facebook page](#)

## 5. Proposal for the Continuation and Expansion of the Paekakariki Community Garden and Orchard Stage 2

Stage 1 of the Paekakariki Community Orchard and Garden, undertaken under a 1 year MOU with KCDC, is to end in November 2018 hence POG proposes that in order to continue and expand the Community Garden and Orchard a license agreement is to be made between POG and Kapiti Coast District Council for an initial period of 3 years with the option of continuing the license agreement for further terms to be agreed.

Under the agreement POG is to continue its work and manage the site in accordance with the agreed management plan, see section 6 below.

The following sections respond to the KCDC Policy and selection criteria for Community/Mara Kai Gardens.

### 5.1. Extents of land covered by this proposal

The proposed Community Orchard and Garden extents for stage 2 is to include the land area as shown in the map image below.



## 5.2. Purpose and Objectives

As stated in our society constitution: POG is an organisation formed for growing organic food together in Paekakariki. Pecuniary gain is not a purpose of the Society.

Our purpose is to grow community food resilience through sharing and increasing knowledge, growing edibles around the village, collecting resources including educational material and tools etc. All of this is wrapped up in our vision to strengthen and enhance our connected community and resilience across all ages, abilities, and socio/economic status.

Our Vision Statement including group objectives is attached in Appendix A.

## 5.3. Benefits

The initial plantings (2017) provided an abundance this summer, in particular of kamokamo, which were distributed around the community including to Ngati Haumia. Kamokamo and pumpkins were used at Paekākāriki School for the free weekly winter soups.

As well as providing food, the garden hosted garden education workshops and community get-togethers: a Community Garden Party held in February was an occasion for workshops on herbal foraging and DIY gravity-fed irrigation, as well as a shared kai. The garden also hosted the Pop-up Wildplay event for No8 Wire Week which was attended by about 400 people over 2 days.

The key benefits and beneficiaries are:

- Provision of a place for any member of the community to join a food growing community, to learn how to grow food and to share in the harvest.
- Create opportunities for learning and knowledge sharing around gardening, sustainability issues and local food production.
- A safe place for children and adults to meet and enjoy seasonal and other celebrations.

## 5.4. Linkages and communication with other community groups and neighbours

We have strong relationships with and involvement in other community groups using adjacent land: Paekākāriki Te Rau o Te Rangi Weaving collective, Paekakariki Bike Library and Paekākāriki Sports Club. There are four neighbouring houses, whose back gardens have gates out onto the horse track. We have good existing relationships (and would expect involvement from) three of them, and have door-knocked all of them when the garden was initially established to introduce ourselves and the idea.

We have a good relationship with Geoff, grounds-man for the Holiday Park, and Jayne, Hannah and Cory plan on further discussion with Marilyn and Ashley before the end of the month. Up to this date there have been no concerns raised by the campground.

During the 2018 summer harvest celebrations we asked the community to provide their input and suggestions about what they wanted from a community orchard and

garden. We had a very positive response and all of these suggestions will be considered in any site development plans going forward. The community feedback is attached in appendix D.

### **5.5. Potential Conflict with Adjoining Land Uses**

The POG committee has spoken to the above community groups and neighbours to the site (except for the Holiday camp) and no conflicts have been identified.

The main use of this reserve is for Saturday junior football games and POG would ensure that community gardening activities do not interfere with this activity: i.e. no vehicle access to the garden during those hours.

There is potential for shared use of the site – e.g. wild play, bike tracks – and POG is open to discussions on this point.

### **5.6. Innovative Urban Sustainability techniques**

Due to the challenges of the site e.g. there is no water to the site, and with the council's Green Gardener on the committee, sustainability is of great importance and will be a focus of all activities undertaken by POG on the site. Examples of sustainable techniques already in use or which will be used are given below.

- Newly planted fruit trees on site already demonstrate deep-pipe irrigation.
- No-dig soil building methods build up water-retentive soil from layers of straw, manure and compost which should not require watering beyond the initial planting.
- The large potato patch is a demonstration at a community level of what can be achieved easily collectively (or copied at home) to grow healthy food.
- Low pressure irrigation systems using barrels and seep hose/rope wicking proved successful over summer.
- Mulch has been provided by local arborists and manure is to be collected from local stables.
- There is further opportunity for demonstrations of water conservation techniques such as swales (on the slope), drip low-pressure irrigation from barrels, deep pipe irrigation, soil building through compost and green manure, plant choice, mulching, etc.

### **5.7. Skills and Competencies of Group Members**

The group have between them initiated, contributed to or run a number of significant community projects and have extensive project management and community gardening experience. A key recent example has been the establishment of a significant school garden, led by POG members.

POG members have actively facilitated a number of the KCDC Green Street initiatives, focusing on education gardening workshops and street parties to build more cohesive community connections.

Other examples of experience: Hannah Zwartz is current KCDC Green Gardener and has worked extensively on the coast with community gardens (Matai Road and Jeep Road being close examples) and in 2014 travelled on a Winston Churchill Fellowship to see community gardens in California and Cuba.

Paul Hughes has led the Grow Paekakariki programme and is a current Community Board member. Tina Pope is former chair of the school Board of Trustees. Mark Amery has worked on the establishment and development of Paekakariki 88.2FM community radio station since 2013.

Jason Dykes has extensive experience in the field of professional communications and has held local 'Chill Ed' events in home Orchard and cider making. Cory Hope holds a Permaculture Design Certificate, has been involved in Community Garden projects in Bristol UK and has 15 years' experience in Project Management.

### 5.8. Budget

The budget for activities to be undertaken for Stage 2 activities is very modest and is to be covered by POG accumulated reserves, ongoing POG fund raising activities and other funding streams such as Community Board grants as and when required.

### 5.9. Timeline

The following timeline of gardening activities, plantings and events is proposed for 2018/2019.

#### 2018

**July:** Peach trees planted

**September/October:** Working bee to lay out sites of future gardens with light-blocking materials to suppress weeds, so these areas can be developed: sites as discussed with Council Parks representatives; compost building, sowing corn for the 'Three Sisters' planting.

**November:** Planting out beans, pumpkins and kamokamo. Spring celebration event to attract new members.

**December:** Harvesting garlic, **Establishing** irrigation for summer. Summer Solstice event.

#### 2019

**January:** working bee activities TBC

**February:** working bee activities TBC

**March:** working bee activities TBC. Summer Harvest Party.

### **5.10. How proposal fits with existing reserve management plans**

It is understood that there is currently no existing reserve management plan in place for the site. Paths have recently been mown into the area but it was previously last mown/brushcut in autumn 2016.

This proposal provides an opportunity for this area of reserve land to be managed and made useful to the community outside of current Council Parks and Reserve management budgets.

### **5.11. How proposal fits with Council Policies, Strategies and Plans**

The proposal is in alignment with the Council policy for community/maara kai gardens as below:

“Council will enable the establishment of community gardens/mara kai on public open space, provided public use and access to the land is maintained.”

### **5.12. How much reserve land has been allocated to similar activities within the area**

There are no other allocations of reserve land within the area for the purposes of community gardening.

### **5.13. Natural and Physical Characteristics of the Site**

POG have undertaken a review of different optional sites for a community garden including soil testing and this site has proven excellent.

- The flat site of the initial garden (stage 1) has shelter, good sun and easy access making it ideally suited to becoming a utility area for composting, storing of materials etc
- The present garden site has been developed on what is believed to be on an old road and isn't suitable for long term garden development hence the need for other garden options being prepared over the next 12 months.
- The dune slopes above it are dry and windier, so plantings would have to be chosen carefully
- The sheltered hollows further west are better for orchard sites and less prone to drying out over summer
- There is easy site access with established council systems re bollards, parking and toilets.

## 6. Management Plan for Paekakariki Community Garden and Orchard: Stage 2

### 6.1. Management structure

The Community Orchard and Garden is to be managed by the POG Committee (Leadership Group) under the following structure with identified roles and responsibilities.

There are two parts to the management structure which form the Committee (Leadership Group), Governance (making sure things are done properly) and Operations (getting things done).

Nominations and confirmation of roles is undertaken under the rules of the POG Constitution, available upon request.

	Title	Role	Group member	Tasks and Responsibilities (may be delegated as appropriate)
<b>GGovernance</b> (Making sure things are done properly)	The Chief	Chair	Jayne O'Neill	<ul style="list-style-type: none"> <li>• Manage external relationships</li> <li>• Compliance with internal and external rules and regulations</li> <li>• Convening Leadership Group meetings</li> <li>• Chairing Leadership Group meetings</li> <li>• First point of contact with KCDC</li> <li>• Produce Annual Report for AGM</li> </ul>
	Aide-de-Camp	Secretary	Dayll McCahon	<ul style="list-style-type: none"> <li>• Recording meeting minutes</li> <li>• Maintain membership/contact records</li> <li>• Manage group related administrative documentation</li> </ul>
	Bean Counter	Treasurer	Jason Dykes	<ul style="list-style-type: none"> <li>• Annual financial reporting</li> <li>• Group accounts</li> <li>• Purchasing/payments</li> <li>• Budgeting</li> </ul>
<b>Operations</b> Getting things done)	Garden Guru	Head Gardener	Hannah Zwartz	<ul style="list-style-type: none"> <li>• Garden Design</li> <li>• Working Bees</li> <li>• Composting</li> <li>• Training and education</li> </ul>
	Project Wrangler	Project Manager	Cory Hope	<ul style="list-style-type: none"> <li>• Manage RAMS procedures and documentation</li> <li>• Site Mapping</li> <li>• Manage and support site</li> </ul>

				<ul style="list-style-type: none"> <li>related projects</li> <li>• First point of contact for new project suggestions</li> </ul>
	Eventor	Event Facilitator	TBC	<ul style="list-style-type: none"> <li>• Manage schedule of events</li> <li>• Support event management</li> <li>• First point of contact for new event suggestions</li> </ul>
	Money Maker	Fund Raising	TBC	<ul style="list-style-type: none"> <li>• Manage market stall</li> <li>• Manage grant applications</li> <li>• Manage and support other fund-raising activities</li> <li>• First point of contact for new fund-raising suggestions</li> </ul>
	Racounter	Communications	TBC	<ul style="list-style-type: none"> <li>• Manage official group outgoing communications via Facebook and email</li> </ul>

## 6.2. Decision making

Major decision making will be made through our regular POG Committee (Leadership Group) meetings in line with the POG Constitution, available upon request. These are publicly notified and open to all.

Outside formal meetings, we will talk about minor decisions at working bees and also communicate through email and/or the Facebook page while those without internet access will keep in touch by phone/text.

## 6.3. Conflict resolution

Where conflict between individuals or within the group arises these concerns and issues will be communicated with one of (three) designated group members (ie. Chair/Treasurer/Secretary). These communications will be respected in confidence and will not have a negative impact on people's ongoing membership of the group.

The designated group member and individual/s raising the concern will come to an agreement about how to proceed that is agreed by both parties. Option 1: Issue resolved; Option 2: Issue taken to Group meeting for discussion; Option 3: Issue communicated with relevant KCDC Council staff who will act as advisors and/or mediators.

If necessary an agreement can be formed in writing which addresses the issue raised whereby appropriate action or change within the group and garden is required. This agreement will be discussed and accepted at a POG Committee (Leadership Group) meeting.

Steps to resolve conflict between group members will be in accordance with POG's guiding principles (see constitution).

#### **6.4. Horticultural methods**

The initial bed was built up as a no-dig garden and this will be the primary method used for the creation of further vegetable growing beds.

First the kikuyu grass was strimmed, then heavy duty black plastic laid down for several weeks to knock back the kikuyu. Plain corrugated cardboard will be laid on top, organic seed potatoes laid on that, then the bed built up with spray-free straw, local manure, seaweed and blood-n-bone.

All gardening activities will follow Bio-Gro NZ organic principles as appropriate, see below.

- encouraging and enhancing biological cycles;
- maintaining and improving long-term soil structure and fertility;
- practicing humane management of livestock;
- maintaining genetic diversity;
- cycling organic matter and nutrients within a production system;
- minimising all forms of pollution;
- adopting an integrated management system for soil, crops and the environment for weed, pest and disease control;
- aiming to produce food of high nutritional quality.

#### **6.5. Site maintenance**

Maintenance of fencing, gates etc. will be discussed with KCDC and support from KCDC sought as required.

A component of the regular working bees will be to ensure that the site is free of rubbish and kept tidy.

#### **6.6. Composting**

Composting is crucial as the soil is very sandy. There are lots of materials on site e.g. lupin, and manure nearby. Compost heaps will be built over the summer in working bees doubling as educational workshops in composting techniques.

#### **6.7. Health & safety**

Health & safety management of the site is the responsibility of the Operations arm of the Leadership group and is to be led by the Project Wrangler. All reasonable precautions will be made to reduce the risk of harm, these precautions include:

- Ensuring the site is safe and without risk to health;
- Ensuring that any equipment or substance provided for use is safe and without risk to health when properly used;
- Providing information, instruction and training to ensure safe use of the site;

- Providing adequate facilities for the welfare of the users, members and volunteers.
- Public liability insurance is in place with \$1M of cover.

### **6.7.1. Risk Assessment Management System (RAMS)**

All activities relating to the site will be managed under a RAMS. The RAMS documentation will be maintained and updated regularly by the Project Wrangler.

The documentation is to include:

- Standard RAMS documentation identifying all potential risks and hazards for the site and any mitigations and/or controls, emergency procedures, and management strategies to be employed.
- Incident log

A generic RAMS document is to cover everyday use of the site and the regular working bees. For specific events to be held at the site, other than working bees or normal everyday use, an event specific RAMS document will be generated.

See Appendix B for the current generic RAMS document and Appendix C for the incident report template.

### **6.7.2. Site Induction for working bees**

At the beginning of working bees a site induction will be given by the POG Member leading the working bee. The induction will be a short talk to ensure that everyone is aware of the hazards associated with working in a garden environment and with the gardening tools to be used.

An up to date copy of the RAMS document is to be carried by the POG Member leading the working bee and is to be the basis of the induction. Before work commences the POG Member leading the working bee is to undertake a risk assessment to ensure that the work to be undertaken during the working bee is covered by the RAMS documentation and to identify any additional risks.

If an additional risk not covered by the RAMS document is identified, this new risk is to be recorded and any required mitigations to be put in place before work commences. The newly identified risk(s) are to be communicated to the Project Wrangler who will add the risk to the RAMS documentation as required.

Working Bee attendees will be made aware that they have the following responsibilities:

- To take reasonable care for the health and safety of themselves and other members and volunteers;
- To cooperate with fellow members and volunteers in the interest of the health, safety and welfare of everyone at the garden.
- Not intentionally or recklessly interfere with or misuse anything provided in the interest of health, safety and welfare.

### **6.7.3. Incident Reporting**

All accidents &/or injuries, major or minor, are to be reported to the Project Wrangler and added to the incident log.

### **6.8. Security and Vandalism**

The area has been chosen as adjacent to a sports field and a well-used walkway (The Horse Track), which should discourage vandalism.

A small sign has been erected to discourage vandalism and identify the patch to the public and council contractors. Additional signage will be added at the entrance from the Horse Track describing the purpose of the area and acceptable activities to be undertaken on the site.

Members will be encouraged to keep an eye on the site and report any security issues or vandalism as soon as noticed. If vandalism is widespread or becomes a significant problem the local police will be contacted and the vandalism reported.

### **6.9. Structure and Storage**

There are currently no plans to erect any permanent structures on the site. Materials such as compost, mulch etc left at the site will be securely covered.

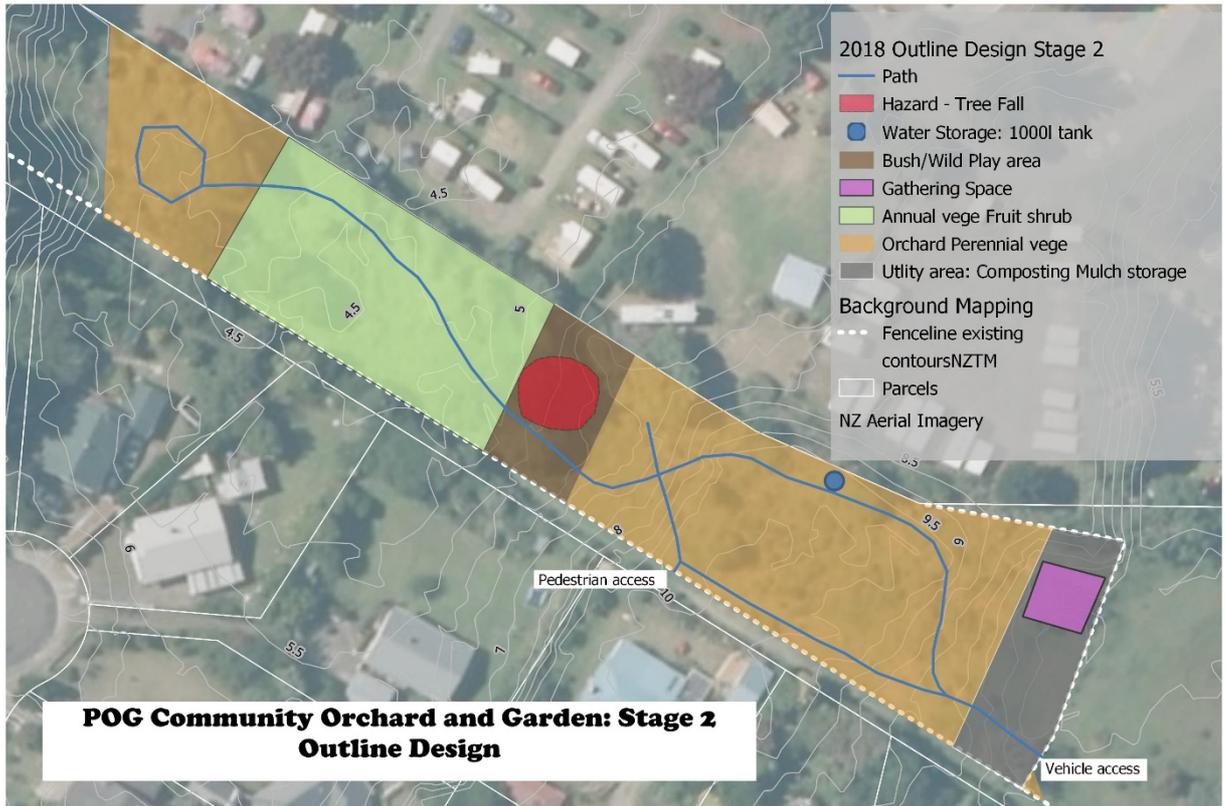
No noise issues have been identified and we don't expect any odour issues as we are composting aerobically.

### **6.10. Water Supply**

The POG Committee (Leadership Group) will make arrangements with one of the neighbours for water supply. POG proposes to utilise a temporary water tank, to be filled from one of the neighbours water supply and the neighbor will be paid the value of the water from POG funds. It is expected that each tank fill should last several weeks.

### **6.11. Outline Design**

The map image below shows the initial outline design showing the different zones and their proposed use in the map legend. This follows assessment of the different growing areas and existing bush areas. Detailed design will be undertaken as an ongoing process and the overall design will evolve organically based on growing successes, community engagement, and site limitations.



## Appendix A

# PAEKĀKĀRIKI ORCHARDS AND GARDENS (POG)

## Vision, Objectives and Values

### Vision

A strong and independent Paekākāriki community through growing organic food together. Enjoyment. Abundance. Learning. Celebrating.

### Objectives

1. Making Paekākāriki a productive growing place.
2. Establishing a substantial community orchard and gardens.
3. Normalising the growing of fruit and vegetables.
4. Broadening the sustainable possibilities of what can be produced, grown and made together locally.
5. Creating child- and people-friendly areas open to all of the community.
6. Helping feed the community and increasing community food security.
7. Creating an area for cooking, eating and learning together.
8. Educating our community in all things related to food production.
9. Marking the seasons, including through seasonal celebrations.

### Values

Value	What this will look like in practice.
Community-centred	We will encourage a greater sense of community. We will provide a meeting place: a sociable, convivial place for people of mixed ages and backgrounds and abilities. We will provide a family friendly environment, for all ages. We will share abundance with our community.

<b>Value</b>	<b>What this will look like in practice.</b>
Openness	<p>We encourage participation from anyone who shares our vision.</p> <p>We will provide a natural playground for children and social areas open to the community, whether they are gardeners or not.</p>
Sustainability	<p>We will help Paekākāriki's own food sustainability.</p> <p>We will set an example in terms of sustainable gardening.</p> <p>We will encourage sustainable water use and conservation.</p> <p>Any buildings or construction will be as sustainable as possible in materials and construction.</p> <p>We will work to be financially self-sufficient.</p> <p>Individual allotments will sustain our families.</p>
Organic	<p>We will be as organic as is practicable.</p> <p>We will work towards organic certification.</p> <p>We will encourage biodiversity.</p> <p>We will not use genetically modified seeds or plants.</p>
Learning	<p>Learning will occur from seeing gardening in action.</p> <p>We will share knowledge and provide learning opportunities.</p> <p>We will help educate the community - whether they are gardening at home or at the community gardens.</p>
Ethical	<p>We will not take financial sponsorship or other support from those who don't align with our vision.</p> <p>We will treat any domestic animals on site humanely.</p>
Cooperative	<p>We will embody being cooperative and working together, mutually supporting each other.</p> <p>We will work with other like-minded groups inside and outside our community - keeping in contact, having solidarity and exchanging with them.</p>

## Appendix B

### Paekakariki Orchard and Community Garden Risk Assessment and Management (RAM) V1

The following risk assessment covers risks identified for everyday use of the site and regular working bees undertaken by POG members and volunteers. For specific larger events an event specific RAMS document is required to be generated.

HAZARD	RISK	MANAGEMENT
Unfamiliarity with the site	Slip, trip, other injuries, poisoning (e.g. fungi, potato fruits), allergic reactions, wounds, stings, bites etc	<ul style="list-style-type: none"> <li>• In the case of working bees:               <ul style="list-style-type: none"> <li>◦ Site induction for all attendees to be undertaken at the beginning of each Working Bee to include:                   <ul style="list-style-type: none"> <li>▪ Briefing on what to do in case of emergency, assembly point identified and all participants aware of it.</li> <li>▪ Task description and instruction on safe gardening methods.</li> <li>▪ Identify risks and management measures associated with the site and specific working bee tasks.</li> <li>▪ Equipment checks.</li> </ul> </li> <li>◦ Ensure site is safe, free of rubbish and tidy on completion of the working bee.</li> </ul> </li> <li>• In the case of casual visitors to the site.               <ul style="list-style-type: none"> <li>◦ Provide signage at the entrance to the site describing all relevant risks and management measures to be followed when visiting the site.</li> <li>◦ Provide risk specific signage in risk areas.</li> </ul> </li> </ul>
Animal manure	Microbial infection (e.g. e-coli, tetanus); parasitic worms	<ul style="list-style-type: none"> <li>• If animal manures are to be used to improve the soil, appropriate protective clothing is to be worn.</li> </ul>

HAZARD	RISK	MANAGEMENT
		<ul style="list-style-type: none"> <li>• Children should be closely supervised and always wear gloves, covering cuts with a plaster.</li> <li>• Any animal manure left on site is to be securely covered and signed.</li> </ul>
Chemicals	Skin or eye contact, inhalation, ingestion	<ul style="list-style-type: none"> <li>• Gardening to be undertaken without chemicals as much as possible.</li> <li>• If unavoidable, chemicals are to be used by a qualified adult, preferably when children are not around, and in the proper manner and to be used and stored in accordance with health and safety legislation.</li> <li>• No chemicals to be left on site.</li> </ul>
Climbing	Falling	<ul style="list-style-type: none"> <li>• Signage identifying risks of climbing</li> </ul>
Tree fall	Head injury, other serious injury	<ul style="list-style-type: none"> <li>• Areas at risk of tree fall to be identified with signage.</li> <li>• Areas at risk of tree fall to be avoided during high winds.</li> </ul>
Emergency, e.g. fire, earthquake etc.	Injury	<ul style="list-style-type: none"> <li>• Emergency evacuation procedures to be followed as below. In the case of a working bee: <ul style="list-style-type: none"> <li>◦ Working Bee leader to have a charged phone</li> <li>◦ In the case of emergency, all participants to immediately move to the identified assembly point as identified at the Working Bee induction.</li> <li>◦ Working Bee leader is to contact relevant emergency services if required by dialling 111.</li> </ul> </li> </ul>
Lifting	Injuries, strains, sprains	<ul style="list-style-type: none"> <li>• Correct lifting techniques to be encouraged among children and adults (back straight, knees bent). Adults with dodgy backs to avoid risky tasks.</li> <li>• Wheelbarrows to be used to transport heavy materials.</li> <li>• Children and adults are not to overfill wheelbarrows where in use.</li> </ul>

HAZARD	RISK	MANAGEMENT
		<ul style="list-style-type: none"> <li>Do not lift heavy objects without help.</li> </ul>
Insects – bees, wasps, spiders etc.	Stings, bites	<ul style="list-style-type: none"> <li>Working bee participants to be reminded that these are natural inhabitants of the garden and pose no risk unless provoked. Encourage children and adults to learn to identify different species of insects.</li> <li>Teachers to be aware of allergies to specific insects, and appropriate action.</li> <li>All stings and bites to be reported to teachers.</li> <li>Any wasp or bee nests to be reported to the working bee leader and these areas avoided.</li> </ul>
Plants	Poisoning (e.g. fungi, potato fruits), allergic reactions, wounds	<ul style="list-style-type: none"> <li>Garden to be audited regularly to identify toxic plants and a list to be kept on file as part of the RAMS documentation.</li> <li>Children and adults to identify unknown plants with certainty before eating.</li> <li>Gloves to be worn if plants are a skin irritant or spiky.</li> </ul>
Power tools	Cuts, eye injury	<ul style="list-style-type: none"> <li>Power tools to be used only when necessary and in a suitable area.</li> <li>Tools correctly maintained to be safe to use.</li> <li>Only suitable qualified adults to operate power tools.</li> <li>Protective equipment to be worn, i.e. ear muffs, dust mask, eye protection.</li> <li>Other distracting activity to be moved away from work area.</li> </ul>
Garden tools	Cuts, sprains, abrasions etc	<ul style="list-style-type: none"> <li>Working bee leader to instruct participants on correct and safe use of garden tools.</li> </ul>
Soil	Fungi, airborne particles, infections (e.g. Legionnaire's Disease, tetanus)	<ul style="list-style-type: none"> <li>Bagged potting mix or compost to be opened in ventilated area with the head away from the opening as far as practically possible.</li> </ul>

HAZARD	RISK	MANAGEMENT
		<ul style="list-style-type: none"> <li>• Moisten dry compost/potting media before using.</li> <li>• Hands must be thoroughly washed at the end of each session.</li> <li>• Cuts or abrasions to be covered before garden sessions or ensure gloves are worn.</li> <li>• Any compost left on site is to be securely covered.</li> </ul>
Stakes	Eye damage	<ul style="list-style-type: none"> <li>• Tall stakes more than 1.8m high to be used where possible.</li> <li>• Children and adult helpers to be made aware of hazard and to take care when leaning over beds.</li> <li>• Cane toppers (e.g. small drink bottles placed upside down) to be used where cane height less than 1.8m high.</li> </ul>
Surfacing	Tripping, puncture wounds	<ul style="list-style-type: none"> <li>• Closed shoes to be worn when using large tools (i.e. forks, spades, sledgehammers).</li> <li>• All adults and children to watch for nails, glass etc. on paths, concrete and in garden beds and pick them up. Dispose of in rubbish.</li> <li>• Remove tacks from recycled carpet when it arrives.</li> <li>• Keep mulch over edges of carpet to reduce tripping hazard.</li> </ul>
Water - barrels, hoses	Injury due to tipping, tripping, infection, mosquitoes	<ul style="list-style-type: none"> <li>• Water barrels to be set up on stable surface and restrained.</li> <li>• Lids to be placed on barrels and standing water tipped out to reduce mosquito breeding sites.</li> <li>• Water barrels should be emptied and cleaned out once a year.</li> <li>• Water barrels to be kept in cool position as far as practically possible to reduce algal growth. If not, consideration to be given to insulation or light reflecting paint.</li> <li>• Hoses to be laid out so as to reduce tripping hazard (e.g. close to bed edges).</li> </ul>
Fire	Burns, smoke inhalation, site damage, damage to neighboring	<ul style="list-style-type: none"> <li>• Fires are only allowed if undertaken under the conditions of the site fire permit and required notifications have been made.</li> </ul>

HAZARD	RISK	MANAGEMENT
	property	<ul style="list-style-type: none"> <li>• Fire's are to be limited to braziers until a suitable fire pit is established.</li> <li>• Fires are to be attended at all times by a suitably qualified adult.</li> <li>• Fuel (wood charcoal etc) for the fire is to be kept a safe distance away from the fire itself.</li> <li>• Fire extinguishing equipment such as a large bucket of sand and/or a large bucket of water is to be kept within reach of the fire at all times.</li> <li>• The fire is to be fully extinguished before the site is exited.</li> </ul>
Weather	Sunburn, cold	<ul style="list-style-type: none"> <li>• Check weather forecast and actual weather and adjust programme accordingly – or postpone</li> <li>• Hats and adequate clothing for the conditions to be worn by working bee participants, sun cream to be used as appropriate.</li> <li>• Activities to be undertaken in shady areas where possible.</li> </ul>

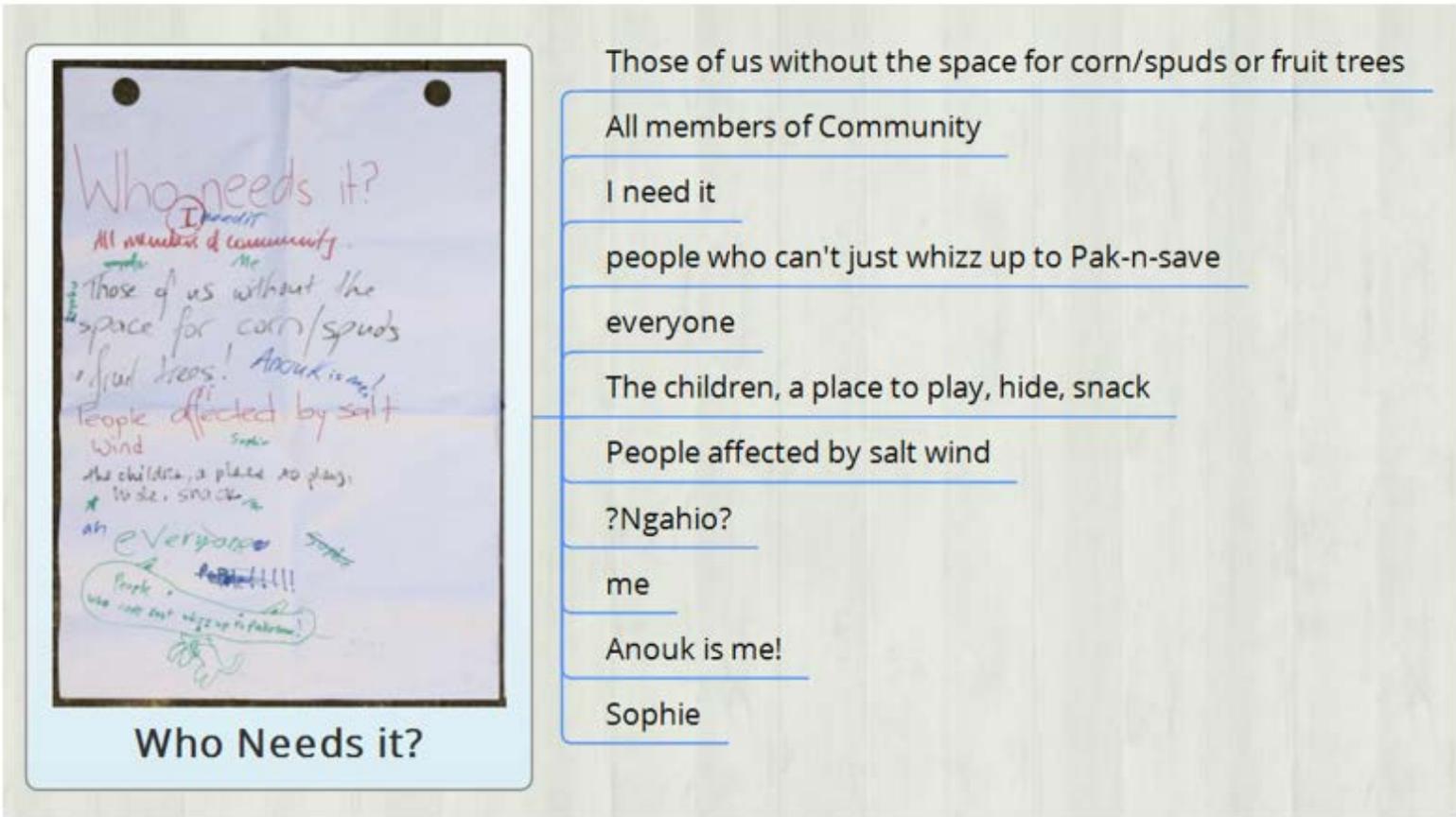


## Appendix C

### Paekakariki Orchard and Community Garden Incident Log V1

Date and time of the incident or accident	Injured person's name, age and address	What was the person doing at the time of the incident or accident	Nature and date of the accident or incident	Cause of the accident or incident?	Remedial actions taken	Name of person filling out this report.





The image shows a hand-drawn poster on a white sheet of paper with two hole punches at the top. The poster is titled "Who needs it?" in red. Below the title, there are several lines of handwritten text in various colors (red, green, black). The text includes "All members of community", "Those of us without the space for corn/spuds or fruit trees!", "People affected by salt wind", and "the children, a place to play, hide, snack". There are also some drawings, including a small figure at the bottom. To the right of the poster, there is a list of responses, each underlined in blue. The responses are: "All members of Community", "I need it", "people who can't just whizz up to Pak-n-save", "everyone", "The children, a place to play, hide, snack", "People affected by salt wind", "?Ngahio?", "me", "Anouk is me!", and "Sophie".

**Who Needs it?**

- Those of us without the space for corn/spuds or fruit trees
- All members of Community
- I need it
- people who can't just whizz up to Pak-n-save
- everyone
- The children, a place to play, hide, snack
- People affected by salt wind
- ?Ngahio?
- me
- Anouk is me!
- Sophie

How would you like to be involved?

Working bees  
Attending events  
Design + planning  
Passion Fruit  
everything  
Sophie  
Making floral crowns

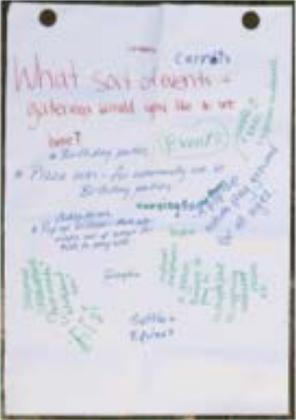
Working bees  
Attending events  
Making floral crowns  
Design and planning  
everything

What about a community garden excites you?!!

- Fires
  - Working together
  - Sharing harvests
- Friends
- Fresh produce
- Learning new skills
- Working together and sharing harvests
- Fires
- Friends family and fun

What about a community garden excites you?

	Birthday parties
	Cubby houses
Pop up village - huts etc, made out of scraps for kids to play with	
A pop up nature playground for all ages	
Singing	
Seasonal celebrations "first cicada" Whitebait run"	
Pizza oven for community use @ birthday parties	
Events	
Make a "town" leftover materials	
Solstice and equinox	
Natural sculptures and grown tunnels to play in; supplejack; whitewood; mahoe etc	



What sort of events and gatherings would you like to see here?

Carroll's  
What sort of events and gatherings would you like to see here?  
here?  
a birthday party (Event)  
\* Pizza oven - for community use at birthday parties  
\* Make a "town" leftover materials  
\* Solstice and equinox  
\* Natural sculptures and grown tunnels to play in; supplejack; whitewood; mahoe etc

What sort of events and gatherings would you like to see here?

A circle of plants (like a willow ?Buttress?) that we can weave into a hut.

- Passionfruit
- Anything legal!
- seed bank
- chocolate
- Fejoas
- Lemons
- Watermelon
- Plums
- Peaches
- Chickens
- olives
- ?Soyles?
- ?Spaigt?
- Hair
- Radish
- Mango
- Beetroot
- lollipops
- Chickens
- seasonal vege



What should we grow?

APPENDIX 4



## New Zealand Legislation

# Conservation Act 1987

- Warning: Some amendments have not yet been incorporated

### 17U Matters to be considered by Minister

- (1) In considering any application for a concession, the Minister shall have regard to the following matters:
  - (a) the nature of the activity and the type of structure or facility (if any) proposed to be constructed:
  - (b) the effects of the activity, structure, or facility:
  - (c) any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity:
  - (d) any information received by the Minister under sections 17S, 17SD, and 17SE:
  - (e) any relevant environmental impact assessment, including any audit or review:
  - (f) any relevant oral or written submissions received as a result of any relevant public notice issued under section 49:
  - (g) any relevant information which may be withheld from any person in accordance with the Official Information Act 1982 or the Privacy Act 1993.
- (2) The Minister may decline any application if the Minister considers that—
  - (a) the information available is insufficient or inadequate to enable him or her to assess the effects (including the effects of any proposed methods to avoid, remedy, or mitigate the adverse effects) of any activity, structure, or facility; or
  - (b) there are no adequate methods or no reasonable methods for remedying, avoiding, or mitigating the adverse effects of the activity, structure, or facility.
- (3) The Minister shall not grant an application for a concession if the proposed activity is contrary to the provisions of this Act or the purposes for which the land concerned is held.
- (4) The Minister shall not grant any application for a concession to build a structure or facility, or to extend or add to an existing structure or facility, where he or she is satisfied that the activity—
  - (a) could reasonably be undertaken in another location that—
    - (i) is outside the conservation area to which the application relates; or
    - (ii) is in another conservation area or in another part of the conservation area to which the application relates, where the potential adverse effects would be significantly less; or
  - (b) could reasonably use an existing structure or facility or the existing structure or facility without the addition.
- (5) The Minister may grant a lease or a licence (other than a *profit à prendre*) granting an interest in land only if—
  - (a)

the lease or licence relates to 1 or more fixed structures and facilities (which structures and facilities do not include any track or road except where the track or road is an integral part of a larger facility); and

- (b) in any case where the application includes an area or areas around the structure or facility,—
  - (i) either—
    - (A) it is necessary for the purposes of safety or security of the site, structure, or facility to include any area or areas (including any security fence) around the structure or facility;  
or
    - (B) it is necessary to include any clearly defined area or areas that are an integral part of the activity on the land; and
  - (ii) the grant of a lease or licence granting an interest in land is essential to enable the activity to be carried on.
- (6) No lease may be granted unless the applicant satisfies the Minister that exclusive possession is necessary for—
  - (a) the protection of public safety; or
  - (b) the protection of the physical security of the activity concerned; or
  - (c) the competent operation of the activity concerned.
- (7) For the purposes of subsection (6), the competent operation of an activity includes the necessity for the activity to achieve adequate investment and maintenance.
- (8) Nothing in this Act or any other Act requires the Minister to grant any concession if he or she considers that the grant of a concession is inappropriate in the circumstances of the particular application having regard to the matters set out in this section.

Section 17U: inserted, on 1 July 1996, by section 7(1) of the Conservation Amendment Act 1996 (1996 No 1).

Section 17U(1)(d): amended, on 18 October 2017, by section 203(1) of the Resource Legislation Amendment Act 2017 (2017 No 15).

Section 17U(8): inserted, on 18 October 2017, by section 203(2) of the Resource Legislation Amendment Act 2017 (2017 No 15).

Appendix 5 – Consultation concerns and considerations

Topic	Concerns raised through consultation with adjacent residents	Considerations
Natural ponding and drainage	The proposed annual vege and fruit shrub area acts as a water ponding area and ponding occurs several times a year in very heavy rain events with water taking several days to drain. The ponding area acts as a natural stormwater detention system. There is a delicate balance as there is also no stormwater being piped from adjacent properties which are downhill from the street stormwater drainage, and there are septic tank systems. The concern is that the proposed community garden activity in this ponding area may impact on the function of the natural ponding and drainage.	That the ponding area issue can be addressed in the proposed licence. The POG management plan can look at how potential detrimental impacts on drainage can be minimised, for example, by ensuring that the ground level is not raised; including any impervious surfaces in this area; and by not increasing stormwater runoff into the ponding area.
Pest control	Pest control was raised in three submissions, with the following points being raised: <ul style="list-style-type: none"> <li>• Rat numbers are an issue in the local area;</li> <li>• Rat traps have been removed from the reserve area because of increased use by children;</li> <li>• Rat trapping is important with compost and increased food sources in the proposed orchard and garden.</li> <li>• Rodent control is important for the running of the adjacent holiday park.</li> <li>• Rodent control should not use poisonous bait, to protect dogs from also being affected.</li> </ul>	Non-toxic rodent control can be part of both the licence conditions and POG plan of management.
Existing boundary vegetation	The vegetation that provides some privacy between the Paekakariki Holiday Park and the reserve should not be disturbed.	There are wilding pines near the boundary with the Paekakariki Holiday Park which Council may need to remove but no other vegetation would be removed for the proposal.
Adjacent walkway maintenance	The adjacent walkway was shingled for maintenance and with increasing use, becomes a mud bath or very sandy.	Council officers will investigate the adjacent walkway maintenance issues.
Fire hazard	The grass has been a fire hazard at times in summer and should be kept at a reasonable length.	This is noted and will be monitored over the summer periods.
Large pine trees	The large pine trees (marked red in the proposal), would need to be felled.	An assessment of the pine trees will need to be undertaken in the future. If the trees are assessed as dangerous, they would be fenced off until budget was available for removal of the trees. The development can be phased to allow for this to happen.