

# Community Gardens Policy



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# What is a Community Garden

A 'community garden' is defined as a parcel of public open space operated by the community (with Council assistance) where the site is used for:

- the production of produce for the personal use of its members through allotments or shared plots, and
- demonstration gardening, or where other environmental activities are undertaken, also encouraging the involvement of schools, youth groups and citizens in gardening activities.

Community gardens are not-for-profit, and can provide for a wide range of environmental, social and economic benefits.

## Different types of Community Gardens

There are different forms a community garden can take, they are:

Community Garden - a mixture of allotments for each member and some shared areas.

Verge Garden - garden beds that are established on the nature strip, or road reserve that are communally managed by a group of local residences and decisions are made jointly.

School Kitchen Garden - a community garden in a school, in which local residents outside of the school community can join and manage the garden in partnership with the school. Gardens may include individual plots for residents and communal garden beds that the school can manage and use for lessons on cooking, nutrition and the environment and provide produce for the school canteen. Council recognises that many schools in our local area have established productive and thriving school kitchen gardens. Many of these are developed like a community garden, in that the whole school community (teachers, parents and students) are involved in its development.

*Note: Should you have a connection to a school in the area, you may wish to contact them directly to volunteer to help with their garden, or to help set one up. However, the approval of outside involvement is at the discretion of each school and is not the role nor responsibility of Council.*



# Our Policy

*Woollahra Council recognises community gardening as a valuable recreational activity that contributes to health and well-being, positive social interaction, community development, environmental education and sustainable principles, protection and use of open space.*

## Objectives

The objectives of this policy include:

- To recognise the need and benefits of community gardens.
- To establish community gardens throughout Woollahra on public open space, where feasible and appropriate.
- To recognise the value of community gardens, as a public amenity.
- To ensure that all community gardens are managed in an efficient manner and maintained to an acceptable standard.
- To ensure all community gardens are chemical free, water efficient and sustainable.
- To acquire, share and increase knowledge and practice of organic gardening with various educational institutes and the local community.
- To offer a suitable site for Council environmental workshops and educational days.
- To standardise processes and procedures for the development of the community gardens.
- To clarify the rights and responsibilities of all stakeholders involved in community garden projects with reference to public liability, maintenance, safety and access.



# Woollahra 2025 - Woollahra Community Strategic Plan 2010 to 2025

This policy has been prepared in accordance with the following strategies from the Woollahra Council Delivery Program 2009 - 2013:

Goal 5: Liveable places from the Woollahra Community Strategic Plan, strategies include;

- Enhance local community, cultural and recreation facilities to become more attractive, integrated and accessible.
- Provide attractive, accessible, connected and safe parks, sportsgrounds, foreshore areas and other public spaces.

Goal 8: Sustainable use of resources:

- Provide programs and projects to reduce local greenhouse gas emissions and ecological footprint.

## Council Support

Woollahra Council supports community gardens by working with community partners, in assisting to identify and contribute to site development activities. Subject to available resources Council will:

- Promote and raise awareness of community gardening
- Provide information to the public about the operation of community gardens
- Assist interested groups in searching for suitable public land for the development of community gardens
- Assist with site development such as site planning and design, surveying, and site preparation
- Provide in-kind support where feasible (i.e. water options, mulch etc)
- Host workshops on practical skills, and group management (ie. governance); and
- Provide grant funding opportunities and advice.





# Establishment of Community Gardens

Woollahra Council supports the development of community gardens, particularly in high density areas in the Municipality. Woollahra Council will assist in locating new garden sites, where available land exists, where neighbours are supportive, and where a community group demonstrates interest and commitment.

For Council to consider supporting the development of any new community garden, applicants will need to address the site selection criteria outlined below. The first step is to establish a community garden group and conduct a site assessment of the potential site. If the site meets the criteria, applicants should then discuss the proposal with Council and go through the potential issues.

## 1. Site Selection Criteria - Community Gardens

### Location

- Consistency with relevant plans for open space
- Informed and supportive neighbours
- Proximity to high density living areas
- Close proximity to supporting infrastructure and services, such as power and water
- An area of approximately 750m<sup>2</sup>

### Usability of site

- The site should have no major safety or health concerns
- Good passive surveillance
- Sun exposure
- Soil quality and drainage

### Accessibility

- Should be accessible for a range of user groups
- Accessibility to public transport (where possible)
- Vehicle access

### Multiple Use

- Community garden should be integrated without adversely conflicting with other land uses
- Community gardens can still be used as information sites for Council and School Workshops.

Upon Council review of a proposal and meeting the relevant criteria, a report to Council will be presented recommending that the proposal be exhibited to the public for comment. A follow up report will be submitted to Council for its consideration.



## 2. Site Selection Criteria - Community Verge Gardens

Establishing verge gardens requires special consideration by Council to ensure that accessibility on footpaths, traffic and road conditions are not affected and that other environmental issues such as stormwater capture and street trees are considered in the design of new garden beds.

Applicants wanting to establish a new community garden on the nature strip will need to first speak to Council to see if their street is suitable for the inclusion of garden beds. Applicants will also need to form a community garden group and get support from neighbours.

### Location

- Woollahra Council is the owner or are trust managers of the land
- Land is un-utilised or under utilised
- Community support to implement and maintain the verge garden

### Usability of site

- The site should have no major safety, health or traffic concerns
- Good passive surveillance
- Sun exposure
- Soil quality and drainage

### Accessibility

- Should be accessible for a range of user groups
- Access ways to be maintained at all times

### Multiple Use

- Community verge gardens should be integrated without adversely conflicting with other land uses
- Community verge gardens can still be used as information sites for Council and School Workshops.

Community verge gardens where available land exists, where neighbours are supportive, and where a community group demonstrates interest and commitment will be favoured.

Where community verge gardens are proposed to be created close to adjoining residents, Council will consult with the affected residents and, where objections are raised, report on the matter to Council for its consideration.



# Community Management of Gardens

Community gardens should be managed and implemented by the community, however this must be undertaken in such a way that the needs of all stakeholders are taken into account.

## Incorporation of the Garden Group

The Council encourages community garden groups to have a clear and identified legal structure. Garden groups can apply to the NSW Office of Fair Trading to become Incorporated Associations. This arrangement affords the group some flexibility in the management of funds and enables them to open a bank account, obtain public liability insurance cover and apply for government grants.

Incorporation as an association requires groups to establish a management committee with annually elected office bearers and to commit to regular meetings. This can be beneficial for the Garden as it maintains a structure that can address management issues. Having a committee also helps share the tasks of garden management and avoids excessive responsibility being placed on a few people or the garden management becoming dominated by one person.

## Insurance and Risk Management

Community Gardens will be licensed to an incorporated community group with an approved Public Liability Cover of \$10 million that indemnifies Council. Each garden group has a duty of care to the community who access the garden areas. This community group will be required to manage safe access in and around the site and, if necessary allocation of garden plots. Management of the site will also need to follow Council's direction in the issue of Environmental Sustainable Development and encourage all members, through its functions and activities, to act more sustainable.

The incorporated community group will liaise with Council staff in regards to any new infrastructure or projects planned for the garden. Prior to erection / installation of any infrastructure, written approval from Council or, where required, Development Consent may be required.

## User Agreement

A licence for use agreement must be signed between Woollahra Council and the organisation for the purpose of developing and maintaining a community garden. The licence agreement would also contain conditions for the use of the site.

At the initial set up of a new garden, a license will be granted for 12 months with an option for a 3 year agreement after this period. All community gardens will operate on a not-for-profit basis.

A licence or other agreement with the group could be revoked or not renewed if:

- the group disbands or ceases to function due to internal conflict.
- the garden is not maintained or becomes unsafe for public access; and,
- appropriate insurance cover is not maintained.

The group will be required to report annually to Council on the function of the garden and how they are meeting Council objectives.





Council retains the capacity to use the garden as a demonstration site for community education activities such as tours and workshops. The Council will work with the garden group to ensure that organised activities do not conflict inappropriately with other garden uses, such as regular working bees.

Information regarding community gardens will be advertised through Council's website and publications. It will also be advertised to the community at Council's community centres and during Council promotions and events.

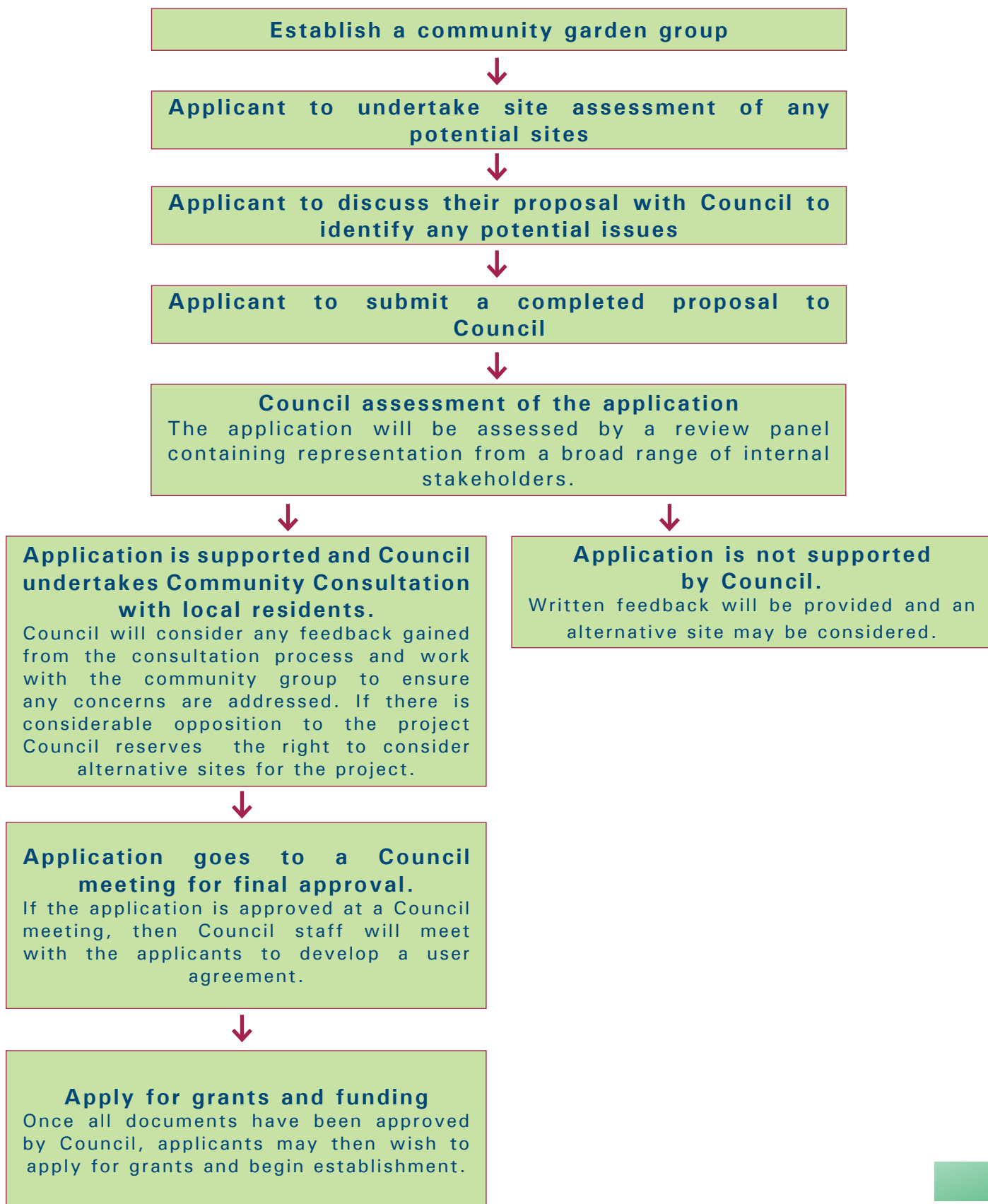
The non-profit organisation agrees to develop, manage and operate the community garden according to a user agreement with their members, which specifies the terms of use, management responsibilities, user fees and access procedures, which include the following:

- Residents of the Woollahra Municipality will be given priority for membership, however, it will be open to all on a first served basis.
- The association may set rules with the assistance of the Office of Fair Trading. Rules must not be inconsistent with Council's Community Garden Policy.
- A list of by-laws are developed by the association and must comply with Section 11 of the Associations Incorporation Act 1984 approved by Council (Staff). Members are required to sign a contract indicating their compliance.
- Membership and use of the site can be revoked for non-compliance with the organisations by-laws, the applicable user agreement or this policy.
- Gardeners need to commit to work within the communal garden and may need to undertake various courses before being allocated an individual allotment. Gardeners must be nominated by two current members.
- Allotment gardens must be maintained to a minimum standard of aesthetics and orderliness. Year-round produce is encouraged.
- Produce is to be organically grown, chemical free, and not to be sold for private commercial profit. Funds from selling produce must be invested in the garden. Excess produce can be donated.
- The organisation is to have its own Public Liability Insurance (becoming a member of a Landcare group can reduce the cost of the PLI).
- Allow monitoring and review as stipulated by the agreement.
- Allow the provisional inclusion of poultry/ livestock within community gardens that are deemed appropriate.
- Any requests for poultry/ livestock be approved by Council staff and assessed regularly. Any approval granted will be subject to a trial period with a review to be undertaken twelve months from commencement.



## Procedure for implementation:

Once a preferred site has been established, applicants will need to submit a proposal to Council. If the proposal is supported, then Council will organise community consultation with local residents and work with the community garden group to address any concerns.



## Want to know more?

For further information on this policy, contact our Open Space and Trees Department. Advice is available from Councils:

- Environmental Education Officer on 9391 7095

Version: Final

Approval date: 12 December 2011

This part of our policy provides an overall summary of the intention and reason for a policy. Specific implementation procedures are available on request. The General Manager has approved this policy and the attached procedures.

Gary James, General Manager

