

COMMUNITY GARDENS POLICY

1.0 Purpose

This policy establishes Council's commitment to the future of community gardening as a significant strategy that can contribute to the health, wellbeing, social, environmental and cultural strength of the community. It defines the place of community gardening within the priorities of Council's integrated strategic planning framework and establishes the respective roles and relationships between Council and community garden groups.

2.0 Objectives

The objectives of this Policy and Procedures are:

- to promote the ongoing establishment of community gardens as significant social assets that bring people together for learning, health, environmental, social and environmental benefits,
- to document a standardised procedure to ensure community gardens are established in a consistent and accountable manner on community land in Kiama Municipality,
- to define the rights and responsibilities of community groups, volunteers and Council involved in the development of community gardens,
- to support self-management of community gardens by community organisations,
- to recommend planning controls to support the development of community gardens on land established for community use, and
- to promote public learning opportunities and successful experience in relation to production and use of fresh, nutritious, locally produced food.

3.0 Scope

This policy applies to:

- Individuals and/or groups wishing to establish additional community gardens within the municipality under a formal Community Garden User Agreement with Council, for the exclusive use of Council controlled community land, for the purpose of community gardening.
- Council Controlled Community Land identified through a site assessment procedure as potentially suitable for the establishment of a community garden in the Municipality.
- Community groups incorporated or in the process of becoming incorporated under the NSW Associations Incorporation Act 2009 or equivalent.

- Community groups operating under the auspice of an organisation incorporated under the NSW Associations Incorporation Act 2009 or equivalent.
- Individuals and/or groups wishing to carry out community garden activities in an informal manner on Council controlled community land (i.e. individuals and/or groups do not enter into a formal Community Garden User Agreement with Council, and therefore do not have exclusive use of land).

4.0 References

This document should be read in conjunction with:

- Kiama Municipal Council Guidelines for the Establishment of Community Gardens.

5.0 Definitions

For the purpose of this document the following definitions apply:

- **Community garden** is a not-for-profit, community-managed enterprise operated on Council controlled community land, for the primary purposes of growing fresh food and providing educational, social, cultural and environmental activities that promote food security.
- **Community garden types** include individual allotments, collective shared gardens and integrated models as defined by the management group of each community garden.
- **Food security** exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. The four pillars of food security are availability, access, utilisation and stability.” (Food and Agriculture Organization, World Summit on Food Security 2009)
- **Council Controlled Community Land** is public land under the management of Kiama Council that is intended for public access and use.
- **Formal Community gardening** refers to gardening that occurs on Council Controlled Community Land under a formal Community Garden User Agreement with Council which gives individuals and/or groups exclusive use of that land.
- **Informal Community gardening** refers to gardening that occurs on Council Controlled Community Land in which individuals and/or groups have not entered into a formal Community Garden User Agreement with Council and therefore do not have exclusive use of that land.

6.0 Policy

Informal Community Gardening Council Involvement

Council will:

- Advise groups on how to become incorporated and enter into a formal Community Garden User Agreement with Council if they wish to do so.
- Maintain the right to inspect the community garden

Community Involvement:

Individuals and/or community groups undertaking informal community gardening on Council Controlled Community Land will:

- Identify and manage any risks that may arise from their community gardening activities.
- Are encouraged to contact Council and inform them of their proposed community garden and community gardening activities.
- Support best practice in sustainability, environmental protection, wholesome food growing, careful resource use, health, safety and security.

Will not:

- Sell or make profit from any produce that is grown on the Council Controlled Community Land.
- Limit or stop the general public from accessing this land if they wish to do so.
- Have exclusive use of the land being used for their community garden
- Build or place any structures on the land including but not limited to: sheds, raised garden beds with solid material edges, water tanks, shade structures, fences, etc.
- Store any tools and/or other equipment at the site

Formal Community Gardening

Partnership. The development of a community garden requires ongoing commitment from an incorporated community group, Council and other stakeholders, for its resourcing, management and use within the provisions of this policy.

Council Involvement

Council will:

- publicly promote community gardening as a significant strategy undertaken by the community and encouraged by Council to address health, social, cultural and environmental priorities.
- promote and encourage a network of community gardening groups throughout the municipality to maximise information, skill and resource sharing that reduces duplication and facilitates all phases of group establishment, garden planning and management.
- prioritise suitable publicly accessible sites for community garden development, assessed against specifications based on research into site priorities of community gardens nationally.
- assist incorporated community garden groups to submit applications for use of nominated sites that reflect the priorities of Council's Community Gardens Policy and the objectives of the community garden group.
- determine the outcome of community garden applications through an efficient and timely application assessment procedure.
- facilitate the development of community gardens in localities that have the strong support of a community gardening group of residents, prioritising collaborative ventures in the event of multiple applications for a nominated site.
- license successful applicant groups for up to an initial 2-year period to establish the community garden. An extension of the licence after this period

will be negotiated depending on the viability of the garden and the intentions of the managing group.

- Assist new community garden groups to identify sources of establishment assistance in funding, materials or labour, for essential establishment items if justified through application.
- provide information and education to community garden groups to support their development and the environmental sustainability of their garden projects.
- maintain the right to inspect the community garden by arrangement with the licensed organisation, for the purposes of assessment of compliance with legislation and Community Garden guidelines.

Community Involvement

The community garden group licensed under Council's Community Garden User Agreement will:

- Operate within the provisions of Council's Community Garden Policy, Application Procedure, Guidelines and related requirements
- Maintain incorporated status and public liability insurance to \$20million
- Operate within the constitution of the incorporated organisation and the requirements of the Act.
- Maintain, operate and manage the site and resources to present a positive working garden environment that minimises negative impact on neighbours and the general public.
- Participate with Council and other community garden groups in community garden promotions and initiatives that promote the health, environmental, cultural, social and economic benefits of gardening.
- Establish garden and organisation management procedures to:
 - Maintain incorporated organisation status or auspice arrangements
 - Develop, maintain and implement agreed Garden Plan of Management
 - Comply with User Agreement requirements
 - Encourage broad community access to the garden
 - Manage volunteer recruitment, training, conflict resolution and work activities
 - Establish and maintain communications with neighbours and stakeholders to address questions and concerns that may arise
 - Support best practice in sustainability, environmental protection, wholesome food growing, careful resource use, health, safety and security.
 - Identify and manage any risks that may arise from their community gardening activities.

Types of Gardens. Council encourages a wide range of community garden types on the condition that they are food focussed, regularly accessible by the public and operate within the requirements of related plans and policies of Council. Inclusion of specific focus on food security, food quality and/or environmental protection is encouraged. The garden type developed may include demonstration or education gardens, shared gardens, allotment gardens, urban orchards and culture-specific gardens. Organic, chemical-free & permaculture cultivation practices may be adopted by community garden management. Footpath verge gardens are not included under the provisions of this policy.

Garden design Community garden designs should reflect the features of the site to create a functional, sustainable garden that meets the principles and objectives of the community garden group as defined in its application to Council. The design process should incorporate liaison with neighbours to address any questions and establish positive initial relationships. The design should allow for universal accessibility as far as is feasible and public access should be maximised through open days, regular open hours or community events.

7.0 Review

- 1.1 This policy was adopted by Council December 2016 and revised November 2017.