



POLICY NO.	MPPR1
POLICY TITLE	Community Garden Policy
STATUS	Internal Management
SERVICE	Parks and Reserves
DOCUMENT ID	586611

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## PURPOSE

The purpose of the policy is to provide a framework for Council to support community gardens.

## SCOPE

This policy applies to all community gardens on Council and Crown Land within the Hunter's Hill local government area.

This policy does not apply to:

- Verge gardens and plantings on nature strips and other areas of road reserves. Refer to verge garden guidelines.
- Gardens on private property where community access is not allowed.

## BACKGROUND

Hunter's Hill Council encourages community gardening as a sustainable living option and as a way for people to get involved with their local community. Community gardens contribute to public health and wellbeing, learning, and social connections.

Council supports the establishment of appropriately governed, designed and managed community gardens on Council land for food and plant growing where appropriate. The benefits of an established community garden include:

- Access to local organically grown food.
- Improved health and wellbeing, social inclusion and community connection, reduced loneliness and social isolation.
- Demonstration sites for learning and sharing knowledge about sustainable practices and alternative ways to use public space.
- Enhanced, unique character in local neighbourhoods.
- Active and healthy communities, through increased passive recreation and healthy eating.

- Building a more resilient and sustainable community.
- Reduced carbon emissions, through lower intensity food production and composting, and soil carbon storage.
- Improved soil and water health, through green infrastructure, permeable surfaces and rainwater reuse.
- Improved biodiversity through habitat creation.

Community gardens are generally not-for-profit, local spaces that operate on designated land for residents and volunteers to grow fresh food, participate in sustainable urban practices, improve food literacy, learn horticultural skills, build community connections through shared activities, as well as enjoy the produce together.

## **POLICY GUIDELINES**

### **1. OBJECTIVES OF THIS POLICY**

- Enable community groups to successfully establish and run community gardens.
- Ensure community gardens on Council land are appropriately governed, designed and managed.
- Establish an approvals framework for community garden groups on Council land.
- Develop a local network of community gardens that is accessible, open and inclusive and benefits the Hunters Hill community.
- Provide social, environmental and economic benefits for the local community.

### **2. COMMUNITY GARDENS ON COUNCIL LAND**

Council enables community gardens to operate on land it manages through licences. Other community gardens in the local government area, which is on land not managed by Council (including church and school land), must obtain permission from the relevant land manager, and relevant planning approvals from Council. Council may support the establishment of new community gardens on Council land where it can be demonstrated that:

- The reserves Plan of Management authorises the use of the reserves for community gardening specifically, or more generally to sustainable land management activities and community activities (subject to leases, licences or other approvals as required). Please note community gardens in Council reserves without a Plan of Management may require planning approval unless authorised under another planning instrument.
- The proposed community garden does not adversely affect the open space values of the reserve, and potential for conflict with existing users and neighbours is minimised.
- The proposed site is not within an area identified by Council as important for wildlife protection and the potential for conflict with native fauna is avoided.
- The design of the proposed community garden will have long term benefits for the community, is inclusive and not for private benefit.
- There is wide support for a community garden in a particular neighbourhood that is not currently met locally.

- There has been comprehensive community engagement on the development of the proposed community garden.
- The community garden group has an agreed framework for governance, self-management and resourcing of the proposed community garden for example the group is incorporated, with a risk management framework, Code of Conduct and resourcing plan.
- The group has sufficient resources to establish and manage the proposed community garden in the long term.

### 3. ELIGIBILITY

Community garden groups must successfully apply for a licence from Council to use Council land. The community garden must be open to the public and benefit the local community.

### 4. MANAGEMENT MODELS

A range of community garden management models operate successfully throughout NSW. These models require varying levels of resources, support and involvement. Community gardens are generally organised and overseen by local residents. This might be a garden committee or a group of people living near a garden, such as an apartment group or a community building.

Some garden committees are incorporated and not-for-profit while others manage their garden informally. Groups are encouraged to become an Incorporated Association. This will allow the group to open a bank account, obtain public liability insurance and apply for Government grants.

Regardless of the structure of the garden and management arrangements, Hunter's Hill Council encourages community garden groups to interact and engage with residents and volunteers and to seek partnerships with local community organisations. These can include informal networks, such as schools, child care centres, sporting groups, community organisations, cafes and businesses.

The best way to work out what management structure is best for the group is by answering a series of questions:

- Is there an existing, suitable site or does the group need to approach Council and ask for help to find the right location?
- How will the group make decisions, resolve disagreements and communicate with each other?
- What is the goal of the community garden?
- Who will benefit from the community garden?
- What size, design and cultivation methods will be best for the group/users?

Documenting the answers to these questions will provide any community garden group with a clear direction and framework to then take the next step and apply formally to Council for a licence.

## 5. INSURANCE

The group should be aware of the risks associated with undertaking a community garden project with public access. Each group has a duty of care to the people who visit the garden areas so a minimum of \$10 million of public liability insurance is required. Options include:

- Become incorporated and take out your own insurance.
- Work under the auspice of another organisation e.g. a neighbourhood centre and be covered by their insurance.
- The Councils Community Support Liability Policy may be extended to cover the group.

## 6. MAINTENANCE

Council will not be responsible for community garden maintenance. If the garden is not maintained and left to fall into disrepair, Council will write to the community garden group and ask for the garden to be removed. If not removed within the specified timeframe, Council will remove the community garden.

## 7. APPLICATION PROCESS

Establishing a community garden can be a complex and lengthy process that requires consultation with multiple stakeholders. The establishment and management of community gardens requires substantial effort and involvement from community volunteers in planning, decision-making and day-to-day garden activities. Community gardens involve minimal Council management, support or intervention.

The application process is designed to ensure that community garden groups have a solid foundation before a licence is signed, particularly in terms of group governance, project planning and community support. During the application period, relationships and shared expectations are established between the group, Council and the wider community. Council provides guidance to groups during this time. The goal is that groups are empowered to enjoy relative independence, community support and long-term success.

Starting a community garden on Council land process:

INITIAL ENQUIRY

Community member contacts Council to introduce their group and discuss establishing a community garden at a proposed site

IS THE PROPOSED SITE ON COUNCIL LAND?

Check Property.Gov

YES - SITE IS ON COUNCIL LAND

Site visit with Council and garden group to asses suitability

SITE IS SUITABLE

Group to submit application for consideration by Council

SUCCESSFUL APPLICATION

Proceeds to public exhibition for a period of 28 days to notify and receive feedback

FINAL RECOMMENDATION

This will support application

COUNCIL ENTERS INTO AN AGREEMENT

No - Site is not on Council land  
Group to approach land owner directly.  
Planning approval may be required

Application not successful  
Council will advise group

Final recommendation does not support the application  
Council will advise group

## RELATED POLICIES

Verge Garden Guidelines

## POLICY AUTHORITY

The Policy Authority is the General Manager.

## GETTING HELP

Service Delivery and Special Projects and Place and Projects section.

## REVIEW

The full policy will be reviewed every 5 years or with any changes to relevant legislation or Council policy.

## ADOPTED BY COUNCIL:

DATE: 20 June 2022

RESOLUTION NO: 124/22

## VERSION CONTROL TABLE

DATE	VERSION	RES. NO.	KEY CHANGES	AUTHOR
31.03.21	1.0	Internal	Initial Policy	Jacqui Vollmer