

INNER WEST

Community Gardens Policy



Community Gardens Policy

DOCUMENT PROFILE

Title	Community Gardens Policy
Summary	The purpose of this policy is to provide a framework for Council to support community gardens.
Background	Council supports the establishment of appropriately designed and managed community gardens on Council land, to contribute to an ecologically sustainable Inner West, liveable neighbourhoods and caring, happy, healthy communities.
Policy Type	Council Policy
Relevant Strategic Plan Objective	<p>Our Inner West 2036: Community Strategic Plan</p> <p><i>Strategic direction 1: An ecologically sustainable Inner West</i></p> <p>1.1.1 Provide the support needed for people to live sustainably</p> <p>1.1.3. Create spaces for growing food</p> <p>1.1.5 Support the community to provide green infrastructure that supports increased ecosystem services</p> <p>1.2.1 Support people to protect, restore, enhance and connect with nature in the Inner West</p> <p>1.3.1 Collaborate to deliver water-sensitive plans, decisions and infrastructure.</p> <p>1.5.3. Divert organic material from landfill</p> <p><i>Strategic direction 2: Unique, liveable, networked neighbourhoods</i></p> <p>2.1.3. Improve the quality, and investigate better access and use of existing community assets</p> <p>2.3.1. Plan and deliver public spaces that fulfil and support diverse community needs and life</p> <p><i>Strategic direction 4: Caring, happy, healthy communities</i></p> <p>4.1.1 Foster inclusive communities where everyone can participate in community life</p> <p>4.3.1. Provide the facilities, spaces and programs that support wellbeing and active and healthy communities</p> <p>4.3.2. Provide opportunities for people to participate in recreational activities they enjoy</p>
Relevant Council References	<ul style="list-style-type: none"> • Community Engagement Framework (2019) • Grants and Fee Scale Policy (2020) • Inclusion Action Plan for People with a Disability (2017-2021) • Weed Management Policy (2019) • Pesticide Use Notification Plan 2019 - 2022 (2019) • Complaints Handling Policy (2018) • Land and Property Strategy (2019) • Land and Property Policy (2019) • Community Gardens Guidelines (in draft) • Relevant parks Plans of Management (various)

Main Legislative or Regulatory Reference	Local Government Act 1993
Applicable Delegation of Authority	As per delegations' register
Other External References	NIL
Attachments	NIL
Record Notes	Externally available document
Version Control	See last page

Document:	Council Policy	<i>Uncontrolled Copy When Printed</i>	
Custodian:	Urban Sustainability Manager	Version #	Version 1
Approved By:	CEO	ECM Ref #	34179890
Adopted By:	Council	Publish Location	Internet
Adopted Date and Minute #:	27/10/2020 C1020(2) Item 6	Next Review Date	27/10/2022

1. PURPOSE

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

2. BACKGROUND

Council is responsible for managing the competing demands on Council land in the densely populated Inner West. Council supports the establishment of community gardens on this land for food growing where appropriate. The benefits that flow from the establishment of community gardens include:

- Access to local, organically grown food
- Enjoyable, creative spaces
- Improved wellbeing, social inclusion and community connection, reduced loneliness and social isolation
- Public examples of sustainable design and alternative ways to use public space
- Enhanced, unique character in neighbourhoods through local cultural enrichment
- Active and healthy communities, through increased passive recreation and healthy eating
- Building a more resilient community who are producers not just consumers of food
- Improved opportunities for learning and participation in community life
- 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

3. OBJECTIVES

The objectives of this policy are:

- To enable community groups to successfully establish and run community gardens
- To ensure community gardens on Council land are appropriately governed, designed and managed
- To establish a clear and transparent approvals framework for community garden groups on Council land
- To develop a local network of community gardens that is accessible, open and inclusive and benefits the Inner West community
- To confirm support available through Council

4. SCOPE

4.1 In scope

This policy applies to all community gardens in the Inner West local government area. Section 7.1 only applies to community gardens on Council land.

4.2 Out of scope

This policy does not apply to:

- Verge gardens and gardens in laneways and other areas of the road reserve
- Gardens on private property where community access is not allowed

5. DEFINITIONS

Community garden: Community-managed space for non-commercial food growing and other gardening activities, accessible to and for the benefit of the local community

Community garden group (“group”): Not-for-profit, incorporated group managing, or seeking to establish, a community garden

Council land: Land owned or under the care, control and management of Inner West Council, that is both zoned as RE1 Public Recreation and allows for community gardening in its park Plan of Management

6. POLICY STATEMENT

Council aims to enable and encourage community gardens that contribute to an ecologically sustainable Inner West, liveable neighbourhoods and caring, happy, healthy communities. Community gardens are led by and managed by community members. Community guardianship strengthens the longevity, sustainability and success of community gardens.

The establishment and development of community gardens on Council land have historically been facilitated through licences although a deed can be used. Community garden groups can apply for Council grant funding to develop appropriately designed and managed community gardens, including groups operating on land not owned or managed by Council.

7. POLICY

7.1 Community gardens on Council land

This section 7.1 applies only to community gardens on Council land.

Council enables community gardens to operate on land it manages through licences or deeds.

Other community gardens in the Inner West, on land that is 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 park's Plan of Management authorises community gardening
- The proposed community garden is in keeping with the Plan of Management, the open space values of the park are not adversely affected, 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 animals is avoided
- The design and function of the proposed community garden is one which 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 and that such needs are 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

7.1.2 Eligibility

To use Council land, groups must be incorporated and not-for-profit, and successfully apply for a licence or deed through the process outlined in Section 9. The group's committee members and membership should be predominantly Inner West community members. The community garden must be open to the public at all times and benefit the Inner West community.

7.1.3 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. Being community-led, 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 or deed 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 wider community. Council provides guidance to groups during this time. The goal is that groups are empowered to enjoy relative independence, community goodwill and long-term success.

The flowchart in Section 9 outlines the steps to establish a new community garden.

7.1.4 Community garden activities

Activities typically include the installation of raised bed gardens, composting and worm farming, mulching, organic garden management, growing and harvesting of food plants, establishment and maintenance of rainwater harvesting systems, and non-commercial community events like working bees, open days, workshops and tours.

Due to widespread soil contamination in the Inner West, all new garden beds are required to be raised.

When making decisions about which activities it agrees to, Council will consider the context of each site and each group's needs and capacity. Some activities may require development approval.

7.1.5 Access and inclusion

Community gardens should be welcoming and inclusive places. Inclusive practices can be deliberately planned, through physical garden design, diverse opportunities for participation, a welcoming group culture, regular promotion, clear communication, and connecting with the broader community.

Council has an obligation to ensure public access to parks, and requires community gardens to be accessible at all times. Gardens in public spaces can be subject to theft or damage including those that have high fences and locked gates. Offering an inclusive and welcoming space that is regularly used can be a positive way to reduce this risk.

7.1.6 Ongoing requirements

Ongoing requirements will be included as conditions of the deed or licence with Council. Generally, community garden groups are expected to:

- Comply with the law, this policy and conditions of their deed or licence
- Work safely and manage risks

- Protect the environment
- Ensure the public can visit the community garden at all times
- Maintain a pleasant, safe and welcoming environment
- Establish and follow a code of conduct and conflict resolution process
- Liaise with Council, provide information and participate in activities as required in their agreement
- Support use of the community garden for education and demonstration purposes

7.1.7 Council fees and charges

Council does not charge groups to use Council land for community gardening. Council reserves the right to charge groups for the cost of utilities, such as water.

7.1.8 Risk management and insurance

All community garden groups working on Council land must satisfactorily complete a risk management process before a licence or deed to undertake community garden work is developed. It is essential that community garden groups identify and manage risks associated with undertaking a publicly accessible community garden project and maintain a record of activities undertaken by members and helpers. Council and groups have a duty of care to maintain a safe environment for the community who access community gardens.

Council requires community garden groups working on Council land to hold appropriate insurances. Council has personal injury insurance cover for individuals undertaking approved community garden activities. However, community garden groups must ensure they take out public liability insurance cover to the value of \$20,000,000 for any third-party claims.

Any claim made against Council's insurance policy for an individual will be subject to an assessment by Council's insurer to determine whether the claim meets the requirements of the policy, whether there is a record of activities undertaken and by whom and whether appropriate risk management and safety practices have been adhered to by the individual.

7.2 Council support available to all community gardens

Many community gardens are on land that is not managed by Council, including gardens on church and school land.

Support available to all community garden groups from Council includes:

- Access to contestable grant funding for the establishment or development of community garden projects, in line with Council's Grants and Fee Scale Policy and the annual Grant Program Guidelines
- Promotion through Council's website, workshops, communications, events and publications
- In-kind support where resources are available (e.g. native seedlings and mulch)

- Community garden network support to promote peer-to-peer learning and development
- Free or reduced cost access to community venues, in line with the Grants and Fee Scale Policy

Support does not include:

- Administrative functions (e.g. chairing meetings, minute taking, photocopying)
- Operational funding such as incorporation fees, wages, and on-going provision of materials
- Financial administration, including holding money on behalf of community garden groups
- Promotional services for individual groups (e.g. maintenance of social media accounts, online platforms, flyer design and distribution)
- Consumables, food or beverages

8. RESPONSIBILITIES

Urban Sustainability Manager is responsible for:

- Ensuring that staff have adequate resources to comply with the requirements of this policy
- Reviewing and updating this policy as and when needed
- Approving community garden applications and entering licences or deeds

Urban Sustainability staff are responsible for:

- Reviewing applications in accordance with this policy
- Liaising with community gardens groups regarding applications and agreements

Parks Planning and Recreation staff are responsible for:

- Providing advice on parks plans of management in relation to community garden applications

Lawyer is responsible for:

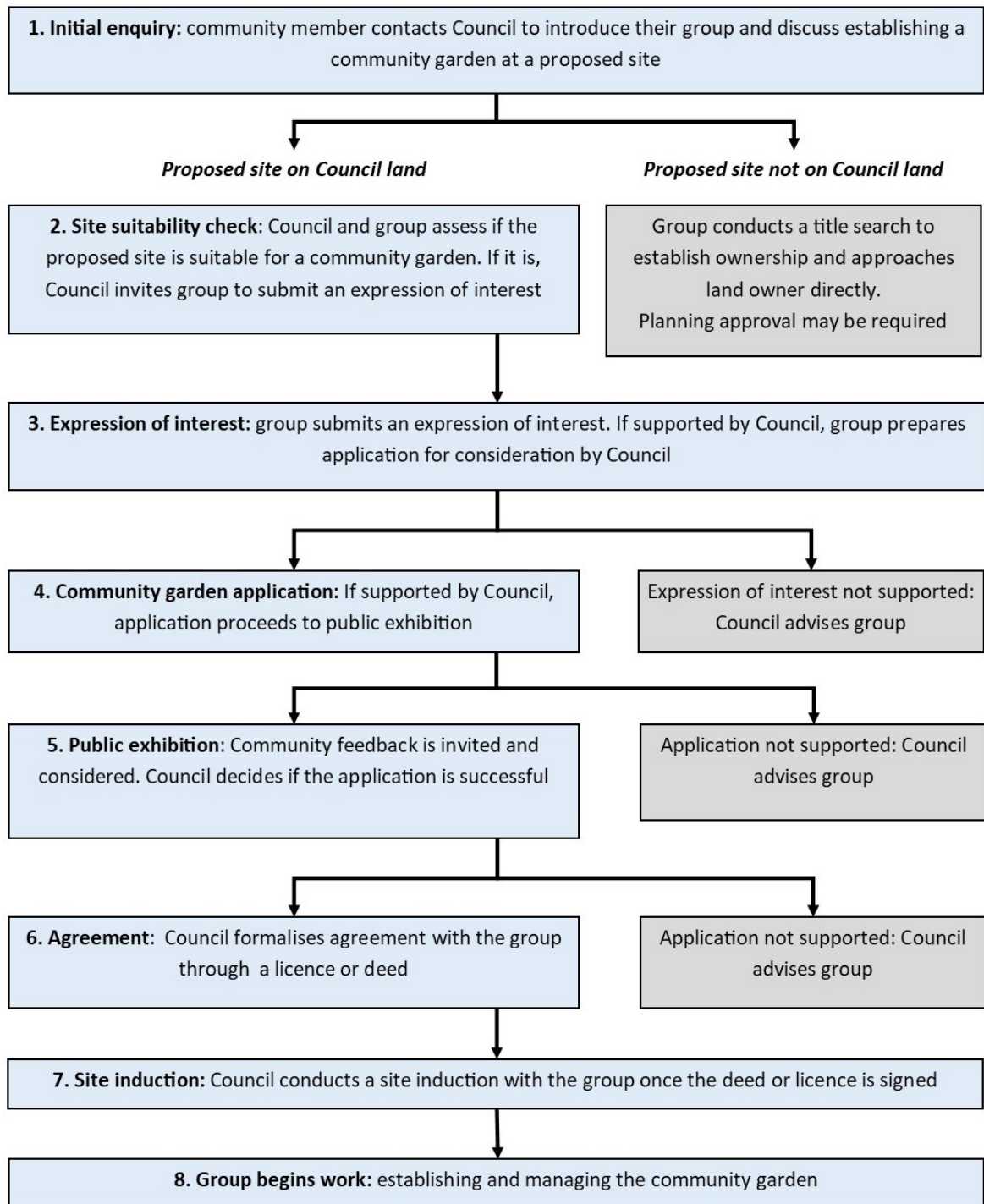
- Drafting licence or deed

Community garden groups are responsible for:

- Developing and maintaining community gardens in accordance with this policy and their licence or deed

9. ASSOCIATED PROCEDURE

Starting a community garden on Council land - refer to Community Gardens Guidelines for further details



Version Control - POLICY HISTORY: Draft 14 October 2020 Governance Use only:

Version	Amended By	Changes Made	Date	ECM#
1	Urban Sustainability Manager	New IWC Policy replacing pre-merged versions	27 October 2020	34179890
2				