

GUIDE FOR THE
ESTABLISHMENT OF

COMMUNITY GARDENS

SHARE
AND
SUPPORT





Guide for the Establishment of Community Gardens

Version 1, November 2023

Shire Infrastructure & Operations (KW)

Sutherland Shire Council

T: 02 9710-0563

W: www.sutherlandshire.nsw.gov.au

E: ssc@ssc.nsw.gov.au

You may download, use or reproduce this work, in part or full, for the non-commercial purposes of promoting or developing community gardens.

Acknowledgements: Thank you to Kiama Council for permission to reference their guidelines and forms.

Disclaimer: Whilst every effort and care was taken in preparing this Guide for establishing Community Gardens, Sutherland Shire Council accepts no responsibility nor any liability for any error, omission, loss or inconvenience caused.

TABLE OF CONTENTS

Introduction.....	1
What is a community garden?.....	1
Types of community gardens.....	1
Who can start up a community garden?.....	1
What is an incorporated association?	1
What are the benefits of becoming incorporated?	2
How to become incorporated	2
Roles and Responsibilities.....	2
Role of Sutherland Shire Council	2
Role of the community garden group.....	3
Where can I find a community garden in Sutherland Shire?	3
Sites for community gardens	3
What to consider when selecting a site	3
Unsuitable sites.....	4
Are community gardens the same as verge gardens?.....	4
What is the application process?	4
Why do we need to enter into a Licence Agreement?	4
Fees and Charges.....	4
Licence Agreement.....	4
Running costs.....	5
Security costs.....	5
Public Liability Insurance	5
Support for your community garden.....	5

Grant funding.....	5
Discounts and freebies.....	6
Can we have animals in community gardens?	6
Dogs	6
Other animals	6
Is there a conflict resolution or complaints procedure?	6
Can we get sponsorship?.....	6
Owner's consent for infrastructure.....	6
Do we have exclusive use of the garden?	7
Contact us	7
Resources	7

Introduction

At Sutherland Shire Council, we want everyone to be able to enjoy our open spaces regardless of age, ability, cultural background or interests. Community gardens provide an opportunity for people to participate in recreation leading to improved health and wellbeing, and assist people to access our open space.

We have five community gardens located on our land, as well as a number of private community gardens also located in the Sutherland Shire, which welcome new members.

Whether you wish to join an established community garden or start your own, we hope you find this guide informative and helpful. It should be read in conjunction with the Community Gardens Policy.

What is a community garden?

A community garden is a space to grow plants, vegetables and flowers. Community gardening is a public, environmentally friendly and not-for-profit activity. It provides a wonderful opportunity to connect with like-minded people and share information about gardening. Community gardens can be situated on public land owned or managed by Council. Suitable locations include parks, reserves, open spaces and community centres.

Types of community gardens

The most common types of community garden are:

- Shared garden beds where members share the produce and the labour;
- Allotments where individual garden beds are appointed; and
- Both individual and shared garden beds.

The shared garden bed model is the most common community garden in Sutherland Shire.

Who can start up a community garden?

Community gardens can be run by an established community service organisation or by a community garden group that has formed an incorporated association. You must be a community service organisation or an incorporated association to enter into a licence agreement with us for the establishment of a community garden.

What is an incorporated association?

Community groups that have formed an incorporated association can enter into a licence agreement with Council to run a community garden. An incorporated

association is a registered legal entity that represents small, non-commercial and not-for-profit groups.

Groups that may become registered as incorporated associations are small non-commercial, not for profit groups, including:

- sporting groups
- arts and crafts groups
- social groups
- ethnic and cultural groups
- pensioner associations
- musical societies
- environmental groups.

You cannot register as an incorporated association if you are planning to operate as a business or to provide monetary gains to members.

An incorporated association must have a minimum of five members. There is no upper limit to the number of members.

What are the benefits of becoming incorporated?

An incorporation has several advantages for members including being eligible for grant funding and limiting personal liability for its members. It ensures that all roles and responsibilities are clearly defined.

How to become incorporated

For information on how to become an incorporated association, please contact [Fair Trading NSW](#).

Roles and Responsibilities

Role of Sutherland Shire Council

We will:

- Operate within the guidelines of the Community Gardens Policy.
- Promote community gardens via our website and social media pages.
- Provide assistance on the application and Licence Agreement process.
- Conduct a feasibility assessment of your chosen location.
- We will provide a point of contact for your enquiries throughout the application process.
- We will advise you of any local and State grant applications.

We will not:

- Run the garden for you.
- Provide advice on any internal disputes or issues that arise within the incorporated association.

Role of the community garden group

You will:

- Operate within the guidelines of the Community Gardens Policy.
- Choose the location for your community garden.
- Identify all roles and responsibilities relating to management, operation and maintenance of the gardens prior to entering into a Licence Agreement with us.
- Become incorporated.
- Operate within the provisions of the Licence Agreement.

Where can I find a community garden in Sutherland Shire?

There are around nine community gardens in Sutherland Shire. Visit [Community Gardens Australia](#) to locate them all.

There are several community gardens in Sutherland Shire that welcome new members. Some of these are on Council land and some are private. They include:

- [Grays Point Garden Community](#), Grays Point
- [Gymea Community Aid & Information Service](#), Gymea
- [Miranda Community Garden](#), Miranda
- [Nerang Road Community Garden](#), Cronulla

Sites for community gardens

Not all locations may be suitable. If you are not sure, please [contact](#) the Open Space Assets Unit and we can provide initial advice on your selected location.

What to consider when selecting a site

- Site conditions
- Environmental impacts
- Accessibility
- Utilities and services
- Security and anti-social behaviour
- Operational issues
- Adjoining properties

Unsuitable sites

- Sensitive bushland areas
- Sites containing - or adjoining - threatened ecological communities
- Locations close to - or above - a creek or waterway
- Land set aside for future development
- Road reserve, including nature strips

Are community gardens the same as verge gardens?

Verge gardens, or nature strip gardens, are different from community gardens. They refer to planting on public land situated on the street verge, which are maintained by residents or business operators. There are restrictions in size and height of verge gardens. For more information, please visit our [website](#).

What is the application process?

1. Complete and submit a [Community Gardens enquiry form](#).
2. We will carry out a feasibility assessment of the proposed location.
3. If the location is suitable, we'll be in touch to discuss further.
4. We will also go out to public exhibition and neighbour notification with your proposal.
5. If no concerns are raised, we will proceed to the next stage, which is for you to become incorporated and enter into a licence agreement with us for your community garden.

Why do we need to enter into a Licence Agreement?

Entering into a licence agreement gives your community garden time to establish and grow its membership with the peace of mind that they can use the space for five years. It also ensures that the community garden adheres to the conditions placed on it by Sutherland Shire Council.

Fees and Charges

Licence Agreement

There is no charge to establish a community garden in the 2023/24 financial year.

There may be additional fees included with the establishment of the licence for community gardens in 2024/25.

Running costs

The incorporated association is responsible for all costs of running the community garden, such as water and electricity usage, water meter installation, fencing, waste bins and bin collection.

Grant funding may be available (see Grant funding).

Security costs

Any costs of installing additional fencing and lighting are at the incorporated associations expense. We recommend choosing a secure location with off-street parking, lighting and passive surveillance.

Public liability insurance

The incorporated association is required to obtain public liability insurance for \$20 million. This level of cover is required to mitigate our risk exposure to potential claims. It also protects the incorporated association from any claims made against it by members of the community garden or members of the public, who are permitted to access the site.

Community Gardens Australia's website has a list of insurers recommended by its members.

Support for your community garden

Grant funding and subsidies

Grant funding and subsidies for your community garden may be available through Sutherland Shire Council and through State Government.

Our [Community Grants and Subsidies Program](#) provides financial support to local not-for-profit organisations that contribute to a connected, supportive, caring, inclusive and engaged community. Applications are accepted in February, with decisions made in June for funding from July 1.

Grant funding may also be available from Clubs from the proceeds of poker machines, for projects and services that benefit the local community. Council administers the grant funding on behalf of the clubs. Applications open in April each year.

State Government grants typically focus on materials/infrastructure needed to create or upgrade the garden.

Discounts and freebies

Our Community Gardens webpage has links to information about free workshops, and discounted worm farms, bokashi bins and compost bins.

Subject to availability, we can provide you with free mulch for your garden if requested.

Can we have animals in community gardens?

Dogs

The community garden should decide at the outset whether dogs will be permitted in the community garden. If dogs are permitted, they must on leash within the community garden at all times, in compliance with our regulations for parks and reserves.

Other animals

All other animals are prohibited in community gardens.

Is there a conflict resolution or complaints procedure?

Any conflict between community garden members must be managed internally.

Should you have a complaint against Council, please [contact](#) the Open Space Assets Unit and we will do our best to resolve this with you.

Can we get sponsorship?

Advertising of sponsors must be within the boundaries of the community garden and not on our fences. This is to ensure that banners and signs in public places comply with our advertising standards.

You may, however, advertise your sponsors within your community garden boundary, such as signs in garden beds, on a shed, or via a Facebook page. The cost of designing, producing and installing any sign is funded by the community garden. You may need owner's consent for installation of signage (see Owner's consent for infrastructure)

Owner's consent for infrastructure

You must obtain approval for all infrastructure installed in the community garden, including signs, sheds, water tanks etc. This is called obtaining owner's consent.

You will also need to obtain approval before you can apply for any funding to install such infrastructure. To apply for owner's consent, please use the [online application form](#):

Do we have exclusive use of the garden?

Under our Plan of Management for parks and reserves, you will not have exclusive use of the land. You may secure the site when it is not in use and at night but during the day, members of the public have the right to access the site.

Contact us

To find out more and submit an enquiry form please visit our [Community Gardens](#) webpage on the council website or [contact us](#).

Resources

- [Community Gardens Australia](#) contains a wealth of information to help set up your garden, including site selection and management plans.
- Sutherland Shire Council Community Gardens Policy





4 Eton Street, Sutherland NSW 2232
T 02 9710 0333 ssc@ssc.nsw.gov.au
sutherlandshire.nsw.gov.au

