

# COMMUNITY GARDENS POLICY

March 2021

PREPARED BY:  
ASSET SERVICES UNIT



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SUTHERLAND SHIRE

## **1. PURPOSE**

Community Gardens positively contribute to the wellbeing, social, environmental and cultural strength of the community. Council recognises the importance of these gardens and has developed a Policy to ensure that equitable, consistent and transparent practices are in place for the planning, establishment, management and operation of Community Gardens.

## **2. APPLICATION**

This Policy applies to all members of the community who would either like to establish a new Community Garden or are involved in the ongoing operation of existing Community Gardens.

## **3. PRINCIPLES**

### **3.1 Application of Principles**

No one principle should be applied to the detriment of another. Principles must be collectively considered and applied to the extent that is reasonable and practicable in the circumstances.

### **3.2 Equitable Access**

Community Gardens are safe and accessible to all members of the community.

### **3.3 Improving Community Wellbeing, Social, Environmental and Cultural Outcomes**

A Community Garden provides opportunity for community members to improve health, and increase recreational activities and neighbourhood amenity. It is a space where sustainable practices are learnt and applied, the environment is protected and where members of the community can positively socially interact.

### **3.4 Community Led**

A not-for-profit incorporated group, including members of the community, will be the operators of a Community Garden.

### **3.5 Self-Sustaining**

Any costs required for the ongoing operation of a Community Garden are funded by the incorporated entity.

### **3.6 Clear and Consistent Management**

Roles and responsibilities relating to the management, planning, construction, operation and maintenance of Community Gardens must be clear to all and consistently applied.

### **3.7 Transparent Process for Considering New Locations**

The consideration of any new Community Gardens will be a transparent process whereby the merits of a desired location will be considered in line with an assessment criteria. The criteria includes accessibility, existing and future uses, fauna and vermin management, land designation, overland flow path, plant species, potable water supply, proposed inclusions, safety, security, signage, soil, solar access, surrounding land owners and utility services. The steps taken to establish a new Community Garden are:

1. A Community Garden Feasibility Application form is submitted to Council by any group of community members for Council officers to consider.
2. Council officers will complete a feasibility assessment of the proposed location. Providing the location is suitably aligned with the assessment criteria, local residents will be consulted. The results of the feasibility assessment will be provided to the applicant, together with any further matters that may require consideration.
3. For any location deemed feasible, a Community Gardens Establishment Application is submitted to Council.
4. Council considers the application for approval.
5. Where approved, the applicants are required to become a legally incorporated entity and obtain Public Liability insurance.
6. The incorporated entity and Council execute a Licence Agreement permitting the operation of the Community Garden on agreed terms.

## **4. RESPONSIBILITIES**

### **4.1 Responsible Officer**

The Team Leader Open Space Assets is the Responsible Officer for this Policy. Responsibilities include:

- Maintaining records including review and maintenance of a register of Community Gardens;
- Reporting;
- Monitoring the currency of the Policy and updating it as required;
- Implementing communications; and
- Providing a point of contact about the application of the Policy.

### **4.2 Council**

In accordance with the Local Government Act 1993, Council is responsible for the administration of this Policy.

### **4.3 Chief Executive Officer**

Council has delegated the Chief Executive Officer the authority to meet its obligations under the relevant legislation and to approve any new Community Gardens.

### **4.4 Directors**

Directors are responsible for ensuring their Division adheres to the requirements of this Policy and provide guidance in respect of achievement of the strategic objectives of the Policy within their Division and the organisation.

### **4.5 Staff**

Staff must adhere to the requirements of this Policy and operate within the authorities of their delegations.

## 5. MONITORING

Application of the Policy will be monitored by the Team Leader Open Space Assets.

## 6. RECORD KEEPING, CONFIDENTIALITY AND PRIVACY

Council adheres to and complies with the NSW State Records Act 1998 and Privacy and Personal Information Protection Act 1998 through its Enterprise Content Management Policy and Privacy Policy.

## 7. BREACHES OF POLICY

Breaches of this Policy will be dealt with in accordance with normal disciplinary procedures and will be advised to the Chief Executive Officer and/or Director Shire Infrastructure, via the Manager Asset Services.

## 8. RELATED DOCUMENTS

- Open Space and Recreation Strategy
- Community Gardens Guidelines

## 9. RELEVANT LEGISLATION, REGULATIONS AND GUIDELINES

- Local Government Act 1993 (NSW)
- State Records Act 1998 (NSW)
- Privacy and Personal Information Protection Act 1998 (NSW)
- Government Information (Public Access) Act 2009 (NSW)
- Crown Land Management Act 2016

## 10. DEFINITION OF TERMS

Term	Meaning
Community Garden	A garden that is accessible to everyone to grow food and other plants, to share information on gardening and environmental practices and to meet like-minded people. They are self-managed by a not-for-profit incorporated group on land owned or managed by Council, excluding the road reserve.

End of Document

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<b>Document Name:</b> Community Gardens Policy		<b>Policy Accountability</b> Team Leader Open Space Assets	
<b>Version:</b> 0.1	<b>Approved by:</b> Council	<b>Minute No:</b> <a href="#">60</a>	<b>Date approved:</b> 22/03/2021
<b>Original:</b> March 2021	<b>Last Revision:</b>	<b>Next Revision:</b> March 2023	