

# COMMUNITY GARDENS POLICY

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| <b>Reference number:</b> | POL 024                    |
| <b>Approval date:</b>    | 17 October 2022            |
| <b>Policy owner:</b>     | Manager Community Services |
| <b>Next review:</b>      | September 2025             |

Wagga Wagga City Council recognises community gardening as a valuable activity which contributes to health and wellbeing, positive social interaction, community capacity building, environmental education and sustainability principles as well as the protection and use of open space.

This policy formalises the general principles under which Wagga Wagga City Council can determine appropriate use of Council owned space for the purpose of use as a community garden. Council's Community Garden Policy has been developed to respond to the needs of the community of Wagga Wagga in line with Council's Community Strategic Plan.

## Purpose

This Policy determines the parameters and guidelines for the use of Wagga Wagga City Council land as community garden space.

## Scope

This policy applies to the identification and usage of Wagga Wagga City Council public land for use as a community garden by incorporated not for profit community groups or organisations residing in the Wagga Wagga Local Government Area.

## Policy Provisions

### Responsibilities

It is the responsibility of all Wagga Wagga City Council Staff to abide by this Policy.

### General Provisions

Service and program levels will be reported through Wagga Wagga City Council's annual reporting processes.

### Approval Arrangements

The Manager Community Services will approve applications under this policy as per Wagga Wagga City Council's organisational approval process.

## Review Procedures

This policy will be reviewed in line with Wagga Wagga City Council planning cycle which occurs every four years.

## Policy Implementation Procedures

### Application Procedures

On receiving a request from the community for a community garden, an assessment will be undertaken in accordance with the following.

Such a request will need to be in the form of a proposal which deals with the following issues:

- The basis for a garden: e.g. individual allotments, a shared communal garden or a combination of these.
- A suggestion for a site (if known) and a site plan for development.
- Numbers of people to be involved and whether they are residents of the City.
- Proposed opportunities for public access and use.
- How establishment costs and ongoing costs, such as water and other infrastructure costs, will be met, including maintenance and vandalism management
- Evidence of public liability insurance or the capacity to provide public liability insurance.
- Staffing and management of the garden, including volunteer management.
- Proposed materials, equipment, shelter and storage and how these will be available and managed on site.
- Decommissioning of the community garden.

### Council Support

Council will assist incorporated not for profit community groups and organisations in searching for suitable public open space for the development of community gardens within Wagga Wagga Local Government Area.

### Site Selection

Wagga Wagga City Council will assist in locating a possible new garden site subject to the following:

- The existence of suitable available land
- The support of neighbours living adjacent to and near the proposed site
- Demonstrated interest and commitment from an incorporated not for profit community group or organisation
- Alignment with existing Community Land Management Plans and all other planning, regulatory and legislative requirements
- Usability of the site
- Proximity to higher density living areas
- Compatibility with surrounding land uses
- Soil quality and drainage
- Sun exposure
- Accessibility to public transport
- Accessibility to supporting infrastructure such as water

In addition, it will be important that existing open space users are not displaced as a result of the establishment of a community garden.

### **Approval Arrangements**

A formal agreement must be made between Council and the incorporated not for profit community group or organisation for the purpose of developing and maintaining a community garden on Council owned public space. The agreement will set out period of usage and contain conditions for the use of the site. A restitution clause will be included within the agreement.

### **Management Framework**

The incorporated not for profit community group or organisation will develop, manage and operate the community garden. This group will be required to have approved public liability cover and managing safe access in and around the site.

The incorporated not for profit community group or organisation will liaise with Council staff in regard to any new infrastructure or projects planned for the garden. Prior to the erection or installation of any infrastructure, written approval from Council or, where relevant, Development Consent will be required.

The incorporated not for profit community group or organisation will be required to report on an annual basis to the Council on the function of the garden and how they are meeting Council's objectives for a community garden.

It is the responsibility of the incorporated not for profit community group or organisation:

- Ensure Development Applications are lodged as required.
- Ensure the safety at all times of any visitors and participants at the site and comply with WHS legislation.
- Cover all costs associated with the establishment and day to day operation of the community garden.
- Ensure all building structures that may be established on the proposed community garden land be constructed by licensed or qualified persons.
- Staff the community garden as deemed appropriate. This will include responsibility for the recruitment and management of volunteers, consistent with best practice volunteer management principles.
- Ensure the community garden complies with all relevant legislation and regulations.
- Ensure that the garden is maintained to an acceptable standard.
- Ensure any persons using the garden have appropriate insurances, as identified in the agreement that will be established with the incorporated not for profit community group or organisation undertaking the management of any proposed community garden project under this policy.

### **Legislative Context**

- NSW Local Government Act 1993
- NSW Environment Protection Agency (EPA) Acts

### **Related Documents**

- Council's Community Strategic Plan
- Recreation Open Space Community Strategy (ROSCS)

## Definitions

| Term             | Definition  |
|------------------|---|
| Community Garden | <p>A piece of open space operated by community members where the site is used for the following purposes:</p> <p><i>The production of produce for the personal use of its members through allotments or shared plots.</i></p> <p>The demonstration of best practice environmental initiatives, organic gardening practices and sustainability principles to the wider community including local schools, incorporated not for profit community groups or organisations and individual citizens which will lead to the building of community capacity.</p> |

## Revision History

| Revision number | Council resolution  | Council meeting date |
|-----------------|---|----------------------|
| 1               | Res. No. 09/090.6   | 24 August 2009       |
| 2               | E-Team  | 26 March 2013        |
| 3               | Res No: 13/244.1  | 26 August 2013       |
| 4               | E Team  | 1 August 2017        |
| 5               | Res No: 17/279  | 28 August 2017       |
| 6               | Revision approval under General Manager delegated authority | 24 November 2021     |
| 7               | Res No: 22/354  | 17 October 2022      |