



TITLE: COMMUNITY GARDENS POLICY

REFERENCE NUMBER:	DOC/18/52133
RESPONSIBLE DEPARTMENT:	Planning & Development
APPLICABLE LEGISLATION:	Local Government Act 1999 Disability Discrimination Act 1992 Crown Land Management Act 2009 South Australian Public Health Act 2011 Local Government Land By-Law 2010
MOUNT BARKER 2035 – DISTRICT STRATEGIC PLAN:	<p>Outcome 10 – Community facilities and programs to meet community need</p> <p>Objective 10.2 Conduct feasibility studies and facility planning for establishing key community facilities, precincts and programs.</p> <p>Outcome 13 – The District’s communities are welcoming and connected and new residents are integrated into the community.</p> <p>Objective 13.2 Design and implement new community development initiatives and partnerships to assist new residents to make effective connections with each other and with existing communities.</p>
RELATED POLICIES:	<ul style="list-style-type: none">• Community Consultation Policy• Volunteering Policy• Public Art Policy• Infrastructure Asset Management Policy
SUPPORTING PROCEDURES:	Nil
PREVIOUS REVIEW DATES:	1 July 2013
ENDORSED BY COUNCIL:	6 August 2018

MINUTE RESOLUTION NUMBER:	OM20180806.12
NEXT REVIEW DATE:	6 August 2021

1. **PURPOSE**

The purpose of this Policy is to:

- Promote the development and maintenance of community gardens where people can meet, work together, build stronger community relationships and learn about sustainable living
- Promote diversity of recreation and cultural activity in the District and manage competing interests for Local Government land
- Enhance the use and enjoyment of the District's public open space by the community
- Promote positive health and wellbeing outcomes for the District's residents, such as community capacity development , social inclusion and healthy lifestyles
- Assisting in the appropriate management of public resources, including Local Government Land, through due diligence and through transparent and accountable processes,
- Contribute to attractive, sustainable and viable community facilities
- Demonstrate environmentally sustainable practices through local food projects
- Encourage efficient and effective management processes for Community Gardens established on Local Government land
- Facilitate environments that promote and protect public health and safety.

2. **SCOPE**

This Policy is applicable to Council Staff and the Community.

3. DEFINITIONS

Community Garden shall mean a parcel of private land or Local Government land which is formally managed by community organisations or volunteers and where the site is used for:

1. the production of produce for the personal use of participants through allotments or shared plots; and
2. demonstration gardening or where other environmental activities are undertaken to bring together people from diverse backgrounds and different abilities, ages, and cultures.

Community gardens shall be organised as not-for-profit community facilities, where individuals do not derive a private financial gain or profit from the garden. Any commercial activity in a community garden (e.g. sale of produce and seedlings) will be solely for promotion and fundraising for the benefit of re-investment in community gardens, unless otherwise agreed by Council.

Contractors shall mean a company or person(s) engaged by Council to provide assets, goods, works or services.

Employee: shall mean any person engaged by Council under an employment contract.

Neighbourhood garden: shall mean a parcel of Local Government land used for public gardening which is informally managed by volunteers, but where Council retains the formal management of the site. This may include orchards in public parks, productive street trees plantings and verge gardens.

Local Government land: shall include all Council owned land and Crown Land under Council's care control and management.

Urban Agriculture: shall mean the growing of plants and the raising of animals within and around urban areas. This includes commercial agriculture, backyard, roof-top and balcony gardening, community gardening in vacant lots and parks, verge gardens, roadside urban fringe agriculture and livestock grazing in open space.

Verge garden: shall mean a nature strip area in a road reserve transformed from "left over space" into a useful and productive garden maintained by local residents.

Volunteers and Work Experience Persons: shall mean individuals assisting Council in clearly defined, approved activities and who operate under Council supervision.

4. ROLES & RESPONSIBILITIES

Council:

Council will demonstrate leadership and apply best practice in regard to facilitating environments that promote and protect human health.

The Council will adopt a community development approach to community gardens where gardening groups manage the gardens themselves with the support of the Council and other partnering organisations.

Council will respond to the emerging interest in community gardening in balance with other demands on Local Government land.

The Council will support the development of community gardens. This could take the form of

- encouragement and assistance from Council employees
- information provision
- licenses and permission for the use of Local Government land
- in-kind contributions (e.g. materials such as mulch)
- grants programs, sponsorships and budget allocations

Any direct financial contributions by Council to community and neighbourhood gardens will be made through Council's budget and community grant processes.

General Manager, Planning & Development:

The General Manager, Planning & Development (or equivalent) will ensure there is an identified Council employee who provides a point of contact and coordinates Council support for community and neighbourhood gardens on Local Government land.

Council Officers:

Council employees and contractors will apply a community development approach to the development of public gardening projects, and will appropriately support the initiative of community members.

Council employees and contractors will develop and provide appropriate information, guidelines and licence agreements to assist community members and groups who wish to participate in community and neighbourhood gardens on Local Government land.

The relevant Community Garden Guideline is located as HPE file reference DOC/18/45678 (Community Gardens Guidelines).

Council employees will conduct public consultation to ensure that other interests in public land have been considered in the development of community garden initiatives.

5. POLICY STATEMENT

The Mount Barker District Council supports the development of community gardens. Community gardening is a recreational activity that requires shared space and is growing in popularity. As the main manager of the open space resources in the District, Council has an important role to play in facilitating this activity.

Council recognises that community gardens are a valuable community based activity through which community members can learn, recreate and socialise. Community gardens can contribute to improved health and well-being, an increase in positive social interaction, an appreciation of environmental and sustainability principles and the greater use and protection of public open space.

Council will facilitate the establishment and maintenance of community gardens across the District, provided there is demonstrated demand, available land and resources.

Whilst the Mount Barker District Council is supportive of community gardens it is essential that these gardens are based on a strong community commitment and are appropriately located and managed in order to be viable, sustainable and successful.

This policy does not apply to commercial forms of urban agriculture.

6. POLICY PRINCIPLES

The Mount Barker District Council Community Gardens Policy is guided by the following key principles:

Community Participation and Commitment:

The Council values participation and will seek to engage the community and other stakeholders in community and neighbourhood garden activity. Demand and demonstrated commitment from the community or stakeholders will be essential for a community or neighbourhood garden to be established on Local Government land.

Inclusion, Access and Equity:

The Council values diversity and seeks to reflect and engage all sectors of the community in community and neighbourhood gardening.

The Council requires that any community garden that Council supports is accessible to the wider community. The Council values equity and will seek an equitable approach in its support of community activity within a community garden.

Collaboration:

The Council values collaboration and considers partnership as key to the development of resilient community gardens. Council will seek a partnership approach with community groups, Government agencies, businesses and other organisations to add value to community life through community garden activity.

Sustainability:

The Council values environmental sustainability and requires all community and neighbourhood gardens to conserve resources and protect the natural environment.

Distribution and Location Criteria:

Council seeks to promote an equitable distribution of community gardens across the District, but the distribution will principally be driven by the level of community interest, availability of suitable sites and other demands on Local Government land.

Council seeks to ensure community and neighbourhood gardens are well located to promote their viability and long term success. Site selection should give consideration to the criteria endorsed by Council. A community or neighbourhood garden should not have a detrimental effect on other existing site uses, infrastructure or assets.

Links to other facilities and infrastructure:

Council seeks to maximise asset utilisation, both directly in terms of land use, and indirectly through doing the work of building, educating and enhancing community. Council will seek to enhance existing assets by linking community gardens to other community facilities and infrastructure such as toilets and meeting spaces, to achieve vibrant and viable 'community hubs'. Links to assets and infrastructure provided by other organisations will also be promoted – e.g. education facilities and retirement villages.

Open Space Hierarchy:

Council seeks to ensure the development and maintenance of public open space is responsive to the community's needs, is 'fit for purpose' and is consistent across the District.

Council applies a hierarchy approach, and consideration will be given to the hierarchy and categorisation of public open space when developing proposals for community and neighbourhood gardens on Local Government Land.

7. MANAGEMENT FRAMEWORK

Council seeks good governance and management of public resources.

Community and neighbourhood gardens on Local Government land will be managed through the following mechanisms:

Community Land Management Plans:

Areas of Local Government Land developed as community gardens will be identified in Community Land Management Plans if applicable.

Public consultation will be undertaken by Council regarding incorporation of community gardens into Community Land Management Plans.

Plans of Management:

A Plan of Management primarily focuses on how a community garden will be organised and managed, rather than the physical design and layout of the garden.

A Plan of Management will be required for any community garden project that involves a licence over Local Government land in the District.

Licence Agreements:

A not-for-profit Incorporated Association (or similar legal entity) will be required to manage a community garden and enter into legal agreements with Council for management of Local Government land.

Council will prepare a Licence Agreement for community garden sites on Local Government land.

The Licence Agreement will set out the conditions of Council's licensing the use of a site by an Incorporated Association for the purpose of developing and operating a community garden.

Practice Guidelines:

Council has prepared guideline document to assist groups wishing to establish community or neighbourhood gardens on Local Government land.

The relevant Community Garden Guideline is located as HPE file reference DOC/18/45678 (Community Gardens Guidelines).

Any guidelines relevant to this policy will be adhered to.

8. REVIEW

This Policy will be reviewed every three (3) years or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the General Manager, Planning & Development.

9. ACCESS TO THE POLICY

The Policy is available for public inspection at the Customer Service Centre, at the Local Government Centre, 6 Dutton Road, Mount Barker, South Australia and on the Council's website www.mountbarker.sa.gov.au.

10. FURTHER INFORMATION

For further information on this Policy, please contact:

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References:

The Mount Barker District Council acknowledges the following documents used to develop this policy:

- City of Burnside, 2010. *City of Burnside Policy Manual: Community Gardens*
- City of Marion, 2012. *Community Garden Policy*
- City of Marion, 2012. *Community Garden Framework*
- City of Sydney, undated. *Community Gardens Policy*, accessed at http://www.cityofsydney.nsw.gov.au/_data/assets/pdf_file/0017/100286/community-gardens-policy.pdf