

Establishing a Community Garden within the Wingecarribee Shire

Community Gardens = Community Projects



OVERVIEW

• *The First Steps*

1. Applicant to establish community garden working group and management structure.
2. Community group to formally request assistance from Council to find available space for the development of a community garden in a specified township.

NOTE: Due to changes in the Crown Lands Management Act, Council is unable to consider any proposal for the use of Crown Lands within Council's care, control and management until further notice.

• *Site review*

3. Allow Council time to evaluate proposed sites for a community garden.
4. Applicant to meet with Council to discuss selected site /s and any associated development requirements and costs.

• *Incorporation & Work Health & Safety*

5. Community group to develop and submit a community garden site plan for Council approved space.
6. Community group to develop a work health and safety plan for the community garden group and submit to Council.
7. Community group to register as an Incorporated Association – Not-for-Profit.

• *Lease Agreements & Public Liability Insurance*

8. Community group to obtain Public Liability Insurance and provide evidence of this to Council.
9. Community group to sign required lease or license agreements or approvals to start garden development.

• *Celebrate & Promote*

10. Council to provide web link for community garden information
11. Community garden group to inform Council of partnership opportunities.

Internet links within this document have been provided to assist and support the development of a safe, productive, community orientated community garden.

Wingecarribee Shire Council will assess each site on a case-by-case basis.

• *The First Steps*

1. Applicant to establish community garden working group and management structure.

Council encourages community garden groups to form a management committee to provide a clear management structure and facilitate the administration requirements of managing a community garden.

A clear management structure avoids excessive responsibility being placed on any one individual, or the garden management becoming dominated by one person.

The following roles are recommended as a minimum for Community Garden Management Committees:

Coordinator:

Responsible for:

- the coordination and development of the community garden
- occupational health & safety
- site inductions
- volunteer registration
- primary contact between Council and the Community Garden Group.

Secretary:

- Organises meetings; keeps records; writes letters and applies for grants.

Treasurer:

- Manages community garden funds and produces financial reports.

Additional Committee Members:

- Elected community garden volunteers that attend site management meetings.



2. Community Group to formally request assistance from Council to find available space to develop a community garden in a specified township.

Details that could be provided include:

- List of current volunteer base and allocated committee roles
- a list of optional community garden sites in order of preference
- a diagram showing proposed location within this address if applicable
- Positive site attributes e.g. proximity to volunteer base and public transport, soil quality, available sunshine, space to grow, access to water, support of neighbours.
- Negative site attributes that need to be managed e.g. slope, locally prominent weeds, no mains water access, limitations to sunshine, soil quality, the need to remove existing exotic or native vegetation, and any concerns of site neighbours.

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Use of Private Property for a Community Garden

Council is happy to provide support for Community Gardens on private property, if the conditions set by Council within this document are followed. Owner consent is to be provided during the initial stages of discussions with Council.

- **Site Review**

- 3. **Allow Council time to evaluate proposed site/s for a community garden.**

Council will review these sites with regard to:

- [Local Environmental Plan](#) (LEP) zoning requirements
- [Development Control Plan](#) (DCP) zoning requirements
- consideration of Council Asset allocations
- review of site attributes and
- the sustainability of the Community Garden at a specific site

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Please note that reviews will have to be planned between current workloads and may take from four to six weeks.

- 4. **Applicant to meet with Council to discuss selected site/s and any associated development requirements and costs.**

This discussion will focus on the positives and negatives of potential locations. These could include when a DA is required, what a DA is required for, what a DA is not required for, the implications of land use zoning allocations and any other permits that maybe required.

If a Development Application is required to establish a Community Garden the following documentation will be required:

- the land owners consent for development
- a site plan – indicating parking, buildings, signage, fencing and other structures noting the importance of scale
- Up-front payment of \$352 when submitting the Development Application. This is the minimum fee set for a Development Application. A formal letter can be written to Council to request the consideration of the reduction of these fees.
- The Community Garden Management Plan template referred to in section 1 of this process is recommended as a support document for community garden Development Applications.
- Environmental Impacts – if native vegetation is to be impacted a flora and fauna assessment may be required.

Council will notify the applicant of the outcomes of the Development Application for the proposed community garden site.

Councils [Land Use Application Guide](#) provides information on the requirements for a Development Application.



- ***Incorporation & Work Health & Safety***

5. Community group to develop and submit a Community garden site plan for Council approved space.

This is a visioning exercise for the development of the community garden by the involved volunteers. The site plan will allow Council to assess the needs of the community group and how to best support them.



The site plan will also provide a learning opportunity for Community Garden Committees to the requirements of development applications within the zoning parameters of the site.

Council highly recommends the development of a [Plan of Management template](#) by the core working group as a first step in the development of a community garden. This simple plan was developed from the experiences of other Community Garden groups and will assist decision making, conflict resolution and planning processes.

A more detailed Community Garden Management Plan, including developing partnerships, design considerations, maintenance, volunteer training, community education, codes of conduct, and case studies has been developed by the [City of Sydney - Getting Started in Community Gardening](#).

6. Community group to develop a work health and safety plan for the community garden group and submit to Council.

Work health and safety is an essential component of any workplace or community project.

Benefits of work health and safety procedures to unpaid volunteer groups include:

- the protection of the health and safety of volunteers
- the ability to retain volunteers and volunteer knowledge base
- the status as a responsible community association
- provision for public liability insurance requirements.

Community garden volunteer work health and safety documents should be developed and understood by all members of the Community Garden.

Components of a work health and safety plan may include a:

- volunteer registration form
- Code of Conduct: acknowledgment that all volunteers have a duty of care for each other and will abide by the community garden code of conduct and other policies
- sign in sign out book including emergency contact information
- volunteer site induction checklist
- site and activity risk assessments
- list of activities requiring safe work procedures
- list of personal protective equipment required by volunteers
- accident / incident form
- list of volunteers that have first aid training.

The following resources provide a guide to the development of a work health and safety plan. Australian City Farms & Community Gardens Network –

[Thinking about safety in our community garden](#)

Safe Work Australia –

[How Volunteer Organisations can comply with the model Work health & Safety laws](#)

- **Lease Agreements & Public Liability Insurance**

7. Community group to register as an Incorporated Association – Not-for-Profit.

It is a requirement of Council that Community Garden Groups has an Incorporated Association status. A group of five or more people is required for an Incorporated Association application to the NSW Office of Fair Trading.

Incorporation as an association requires groups to establish a management committee with annually elected officers committed to regular meetings. Community Gardens Committees maintain a management structure to address community garden issues democratically. This type of arrangement enables a Community Group to open a bank account, obtain public liability insurance and apply for government grants.

The financial cost associated with registration is approximately \$118.

Office of Fair Trading – Incorporated Association Forms

Not-for-profit organisations can apply for a percentage reimbursement of the Development Application fees by writing a formal letter of request to Wingecarribee Shire Councils General Manager.

8. Community group to obtain Public Liability Insurance and provide evidence of this to Council.



Public Liability Insurance of \$20 million is a requirement of community gardens on public and private land that are to be supported by Council.

If a community garden is a branch of an already established incorporated not-for-profit community group, liability cover for the community garden may be provided by this umbrella organisation and should be discussed with insurer.

Public liability insurance provides the Community Garden volunteers and committee indemnity from being held responsible for injury, disability or death.

All Community Garden groups have a **duty of care** to the community who access the community garden site.

9. Community group to sign required lease or license agreements or approvals to start garden development.

Successful community garden applications on Council land will be granted a short-term lease, with a maximum of 5 years.

A licence for use agreement must be signed between Wingecarribee Shire Council and the community garden organisation for the purpose of developing and maintaining a community garden on public land.

It will be the responsibility of the tenant to:

- **control noxious** and **environmental weeds** and pests on the site
- maintain the gardens vegetation, fencing, signage, furniture and or other structures to the satisfaction of Council
- maintain public access rights and any other lease conditions
- allow monitoring and review of the site as required
- abide by all state and federal legislation.

The lease agreement could be revoked or not renewed if:

- the group disbands or ceases to function due to internal conflict;
- the garden is not maintained or becomes unsafe for public access;
- the appropriate insurance cover is not maintained for the site; and if
- the community garden is involved in illegal activities.

The incorporated community group will liaise with Council staff in regards to any new infrastructure or projects planned for the garden.

For community gardens on Council owned land, Council retains the right to respectfully use the garden as a demonstration site for community education activities such as tours and workshops.

- ***Celebrate & Promote***

10. Council to provide web link for community garden information.

Community gardens approved by Council will be displayed and promoted on Councils website. This may include operating times, special events and training opportunities.

[Wingecarribee Council Community Gardens Web Link](#)

11. Community garden groups to inform Council of partnership opportunities.

Community gardens provide a strong social service and connection to community for local residents.

The value of a community gardens is defined by the community that support its growth and development.

Events supported by Council that may benefit from the use of a community garden site include: Schools Environment Day, Celebration of Volunteering, Seniors Week, habitat and sustainable lifestyle programs and initiatives.

