Nillumbik Shire Council

Community Gardens Guidelines

September 2015

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# Introduction

## What is a community garden?

Community gardening can be structured in many ways, often in response to land availability, resources available, community time commitments and the desired food output. Some common models include; allotment community gardens, communal community gardens, planter boxes and other community food spaces.

## Council Support

Nillumbik Shire Council values community gardens as a unique form of open space that is managed by the community for the production of food. They are places for developing practical knowledge of sustainable living practices, as well as building community connection and resilience.

Nillumbik Shire Council supports and encourages the local community to initiate and establish community gardens on behalf, and with the support, of Council as defined within this document.

The Community Garden Guidelines and application process pertain specifically to community gardens that exist on Council owned and/or managed land. Community gardens on Council owned or managed land are considered to be established on behalf of Council.

## Community Garden Guidelines

These guidelines have been created to help your Community Garden Group through the process of setting up a community garden and completing the application for establishing and/ or managing a community garden on Council owned or managed land.

The guidelines should be read in conjunction with other relevant documents such as:

* Nillumbik Shire Council Community Gardens Policy
* Nillumbik Shire Council Planter Box Guidelines

# How to start a community garden in Nillumbik

## Step 1: Establish a Community Garden Group

Gather together a small group of committed individuals, with a broad range of skills, to form a working group. Develop an outline of the purpose of the garden, the goals and objectives you want to achieve, programs you plan to run in the garden, how the garden will be used and who will be able to use it.

Sustainable Gardening Australia has produced the Community Gardens Manual that Council recommends you refer to. It is available online from [Sustainable Gardening Australia website](http://www.sgaonline.org.au/community/community-gardens-manual/)

### Incorporation

Consider your management and governance structure. Council encourages community garden groups to have a clear and identified legal structure. Garden groups can apply to Consumer Affairs Victoria to become an Incorporated Association. This affords your group some flexibility in the management of funds and will enable you to open a bank account, obtain public liability insurance cover and apply for government grants. Incorporation of an association requires groups to establish a management committee with annually elected office bearers and to commit to regular meetings. An alternative to incorporation is to become auspiced by an existing community association such as a Neighbourhood House.

Refer to: [Consumer Affairs Victoria website](http://www.consumer.vic.gov.au/)

For legal and governance information visit [Justice Connect website](http://www.justiceconnect.org.au/)

### Insurance

You will also need to think about the ongoing insurance and financial management of your garden to ensure the sustainability and longevity of the project. Each community garden has a duty of care to the community who access the garden area. A minimum of $10,000,000 of public liability insurance is required to be taken out. You should also consider extending your insurance cover to include Voluntary Workers Insurance, Building Insurance and Property and Equipment Insurance. Insurances are expensive and independent advice should be sought to make sure that any insurance cover entered into is appropriate for your needs. Useful information can be found at: [Royal Horticultural Society website](http://rhsv.org.au/rhsv-members/for-clubs/club-insurance/what-insurance-do-you-need/) or [Local Community Insurance Services website](http://www.localcommunityinsurance.com.au/)

If you are under the auspice of an existing community association e.g. a Neighbourhood House, their insurance cover can probably be extended to include the community garden. This may be cheaper than taking out a new policy.

## Step 2: Discuss your Proposal with a Council Representative

Contact Council’s Community Development Team to discuss your community garden group and proposed community garden site. Council will assist you in the suitability of your proposed site, identifying other potential community garden sites, possible community partners and any potential issues that will need to be addressed.

Initial enquires can be directed to Council’s Community Development team via [community@nillumbik.vic.gov.au](mailto:community@nillumbik.vic.gov.au) or 9433 3111 and you will be assigned a Council contact to help with your application.

## Step 3: Undertake a Site Assessment of Potential Sites

When choosing a potential community garden site you will need to consider current land use, neighbours, safety, accessibility, soil quality, sun, water and power access as outlined in the Sustainable Gardening Australia ‘Community Garden Manual”. These site factors will form part of Council’s assessment of your community garden application.

Download via: [Sustainable Gardening Australia website](http://www.sgaonline.org.au/community/community-gardens-manual/)

Community gardens on Council owned or managed land are considered to be established on behalf of Council.

## Step 4: Public Consultation

It is essential that you discuss your idea to establish a community garden with residents, businesses and other community groups that have an interest in the land you propose to use. This is best done following Council’s initial approval of a proposed site. As a guide, it is a good idea to consult neighbours/businesses within 100-500 metres of your proposed community garden site. However, the scale of consultation can vary dependent on the size and nature of your community garden and should be discussed with your Council contact.

You could arrange a community gathering to explain your initiative and give participants an opportunity to comment. Your group could advertise the meeting by doing a letterbox drop and putting up notices at the proposed garden site and local bulletin boards. Evidence of local consultation and community support will need to form part of your community garden application.

Applicants are required to provide Council with evidence of local consultation and a broad range of community support. Your group must be able to demonstrate that the project has substantial support within the community and will need to feature at least two of the following:

* Letters of support from local businesses, schools, aged care facilities, service clubs and/or community groups.
* A letter of support signed by local residents
* A minimum of 10 individual community garden members to ensure a breadth of commitment.

## Step 5: Council’s Assessment Process

The draft community garden application and accompanying documents will be assessed by Council against the Community Garden Policy and these guidelines. A Community Garden Management Plan needs to be submitted as part of your application.

A Community Garden Management Plan will help your group plan for and establish the garden and provide for its ongoing maintenance and growth. A Management Plan is a good tool to demonstrate these requirements and to plan for the long-term management of the gardens.

At a minimum, the following should be included in your Management Plan:

| * Aims and objectives of the group | * What plants will be grown |
| --- | --- |
| * How decisions will be made | * How organic waste will be managed |
| * The conflict-resolution process | * How water will be conserved |
| * How new members will be recruited | * How pests will be controlled |
| * Proposed methods of fundraising | * How vandalism will be prevented |
| * Hours of operation and access | * How you will ensure the site stays tidy |
| * Methods of gardening | * How you will minimise noise and odour |
|  | * An A3-sized basic Concept Plan of the Garden layout. |

Following assessment guidance will be provided to assist with the final application.

## Step 6: Complete the Community Garden Application Form

Finalise your community garden application and submit it to your Council contact with the requested attachments to [community@nillumbik.vic.gov.au](mailto:community@nillumbik.vic.gov.au) . The information requested in the application form is required to provide Council with the information needed to assess the application against the Community Garden Policy, to prepare the Tenancy Agreement and highlight whether any permits are required.

## Step 7: The Agreement & Permits

Following Council approval for the development of the community garden, Council will enter into a Tenancy Agreement with the responsible incorporated community organisation, depending on the land use of the area. A lease agreement provides exclusive rights to the community garden group for use of the land; a licence agreement will allow a community garden to use a specified area of land, but not have exclusive rights to that land. The fee for the lease agreement will be approximately $200-$400 per year.

The Agreement will:

* Acknowledge and support the objectives of the garden
* Specify the permitted purpose(s) of the garden
* Ensure that participation in the garden is open to all
* Specify responsibilities of both Council and the Community Garden Group
* Allow for periodic reviews and reporting on the community gardens.

Planning and building permits may be required depending on the proposed site and structures. In the majority of circumstances, if the community garden is being carried out on behalf of Council and the works are under $1 million a planning permit will not be required. If a planning or building permit is required fees will apply with the cost dependent on the works being carried out. Council will provide you with this information.

# Guidelines for Community Garden Operations

The responsibilities of the community garden group are as follows:

## Social Development

* Cultivate positive and respectful relationships with local residents and other users of the land.
* Welcome visitors to the garden and ensure members of the public can access the community garden during daylight hours.
* Do not discriminate against anyone due to differences in disability, race, culture, sexuality, age or gender.
* Maintain general operating hours within daylight hours.
* Ensure that the site remains a drug and alcohol-free zone.
* Ensure noise levels are kept to a standard that does not disturb neighbours.
* Ensure any dogs are controlled on leashes at all times while in the boundaries of the garden.
* Develop operational health and safety, access and behavioural guidelines for the garden.
* Maintain decision-making and conflict resolution processes that are transparent, equitable and inclusive.
* Form partnerships whenever possible with existing community groups.
* Promote opportunities for learning through signage, workshops and demonstration.
* Communicate with Council concerning matters relating to the operation of the community garden.

## Maintenance

* The community garden is to be kept neat and tidy.
* Noxious and environmental weeds and pests are to be actively controlled.
* Genetically modified products are not to be used.
* Odours from manures, compost and fertilisers are to be controlled.
* Organic recycling systems are to be maintained so as not to harbour vermin.
* Ensure runoff from the garden is not contaminated with excess organic matter, fertiliser or sediment.
* CCA treated wood is not to be used.
* Organic principles should be applied to the use of herbicides and pesticides and the management of pests and diseases.
* Habitat gardening should be incorporated to support local wildlife.
* Sustainably sourced materials should be used.
* Husbandry of chickens, bees, and the like must be consistent with any local law or industry standards.
* Any burn offs or fires must comply with Nillumbik’s Local Laws.

## Development of Infrastructure

* All structures erected on the site are of a removable nature and located completely within the boundaries of the site.
* Common elements such as rainwater tanks, tool shed, composting bays, interpretive signage are considered part of the garden.
* If mains water is required then the community garden is responsible for the cost of installation and ongoing water use costs.
* Some infrastructure works may require a permit or approval from Council. Your Council contact can assist you with this information.

## Council position

* Community Gardens are constructed on behalf of Council, however Council:
* Is not responsible for the upkeep and repair of the community garden and Council reserves the right to issue clean up and removal notices to non-conforming community gardens.
* Reserves the right to cancel the authorisation or alter the requirements at any time in consultation with the applicant if there has been a failure to comply with the conditions of the agreement. This includes transferring management to another group.
* Will work with the Community Garden Group to develop transitional arrangements for management of the land whilst the garden is being constructed i.e. mowing to the current level of service.
* In granting permission, Council indemnifies itself against any actions or claims that may arise.
* Once granted the agreement is valid for 12 months at which time it will be subject to review.

If you have any questions about the Community Garden Guidelines or Policy please contact Council’s Community Development Team via [community@nillumbik.vic.gov.au](mailto:community@nillumbik.vic.gov.au) or call 9433 3111.

# Nillumbik Shire Council Community Garden Application Form

**Part 1 Applicant Details**

| Community Garden Group Name |  | |
| --- | --- | --- |
| Contact Person Name |  | |
| Postal Address | Street Address: | |
|  | Suburb:  Postcode: | |
| Phone Numbers | Business hours:  After hours: | |
| Email Address |  | |
| Applicant Signature |  | Date: |

**Part 2 Group Details**

| Number of Formal Members |  |
| --- | --- |
| Is the Group Incorporated? | □ Yes □ No  Incorporation Number: |
| Is the Group being auspiced by an existing Incorporated Group for the purposes of the project? | □ Yes – fill in contact details and attach a letter of support from the auspicing group  □ No |
| Does the Group currently have, or are you able to obtain public liability insurance? | □ Yes  □ No  Policy details: |
| Have any of the members had experience with community gardens previously? | □ Yes  □ No  Details: |

**Part 3 Site Details**

| Proposed Site Address | Number and Street:  Suburb:  Postcode: |
| --- | --- |
| What is the land currently used for?  e.g. passive recreation, sporting activities. |  |
| Are there any existing structures or services on the site? |  |
| Will a heavy vehicle gutter crossover need to be installed to allow vehicle access to the site? |  |

**Safety and Vandalism**

| Have you identified any safety concerns or other issues relating to the site? | Response: |
| --- | --- |
| Does the site have lighting? | Response: |
| Does the site have good visibility from nearby houses or businesses? | Response: |

**Accessibility**

| How far is the site from public transport, bicycle tracks and footpaths? | Response: |
| --- | --- |
| How far is the site from a public car park? | Response: |
| How close are the nearest public toilets? | Response: |
| Is the site accessible for a range of user groups, including disabled access if required by participants? | Response: |
| How far is the site from any community facilities such as schools and aged care facilities? | Response: |

**Utilities**

| Is the site connected to any existing utilities?  ‘Dial Before You Dig’ – www.1100.com.au | Response: |
| --- | --- |

**Size**

| Is the site of adequate land size to accommodate the garden and associated facilities? E.g. garden beds, tool shed, water tanks | Response: |
| --- | --- |

**Soil Quality, Drainage and Slope**

| What is the soil type at the site? | Response: |
| --- | --- |
| Do you know the history of the site and is there any potential risk of soil contamination relating to past land use? | Response: |
| Is the site subjected to flooding or poor drainage? | Response: |
| What is the slope/contour of the land? | Response: |

**Sunlight and Water**

| Does the site have sunlight for at least 5-6 hours per day? | Response: |
| --- | --- |
| Is there current access to mains water or an opportunity to harvest rain water? | Response: |

**Environmental Considerations**

| Is there native vegetation on site? Provide details | Response: |
| --- | --- |
| Do any existing trees or shrubs need to be removed to construct the garden? | Response: |
| Are there environmental weeds on site? | Response: |
| Is the site of ecological or cultural significance? | Response: |

**Part 4 Community Garden Project Details**

| Type of Community Garden | □ Allotment Garden  □ Communal Garden  □ Combined Allotment & Shared  □ Other (specify) |
| --- | --- |
| What is the purpose of the proposed community garden?  (Tick as many as applicable) | □ Recreation  □ Sustainability Education  □ Community Building  □ Health  □ Improved access to local food  □ Other (specify) |
| What is the benefit of this project to the greater community? |  |
| Is the project proposed linked to any existing community activities?  (Provide any letters of support) | □ Yes – Give a brief description  □ No |
| Has the surrounding community been consulted about the project and what were the outcomes?  (Explain the method of consultation and key issues for and against the garden) | □ Yes – Provide supporting documentation  □ No |

**Community Garden Management Plan**

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| * Hours of operation and access | * How you will ensure the site stays tidy |
| * Methods of gardening | * How you will minimise noise and odour |
|  | * An A3-sized basic Concept Plan of the Garden layout. |

**Part 5 Application Checklist**

| □ Have you filled in all parts of the Application form? |
| --- |
| □ Have you attached a copy of your (or your auspicing Group’s) Certificate of Currency for Public Liability Cover for at least $10,000,000 in Council’s name. |
| □ Have you attached a letter of support for your project from an auspicing group if appropriate? |
| □ Have you attached letters of support for your project? |
| □ Have you attached the Management Plan for your proposed garden, including an A3 basic Concept Plan of the Garden? |

**Part 6 Lodgement Details**

You can lodge the completed form with any supporting material to [Community@nillumbik.vic.gov.au](mailto:Community@nillumbik.vic.gov.au) or Nillumbik Shire Council, PO Box 476, Greensborough 3088.