



9.2 GUIDELINES FOR LICENCED COMMUNITY GARDENS ON COUNCIL OWNED LAND

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1. PURPOSE

- 1.1 To consider feedback received through the public consultation period received through Have Your Say on the draft 'Community Gardens Assessment Guidelines'.
- 1.2 To present the Draft Final 'Community Gardens Assessment Guidelines'
- 1.3 To seek Council approval on the adoption of these guidelines.

2. EXECUTIVE SUMMARY

- 2.1 At the ordinary Council Meeting on the 6 November 2019, Council received a petition to establish a community garden in Port Melbourne. A motion was passed at this meeting, requesting officers to consider how Council can respond to requests to establish community gardens within a short timeframe.
- 2.2 Neighbouring councils have clear policies and guidelines for the establishment of community gardens as well as separate guidelines for verge plantings. Council presently does not have an adopted policy or guidelines for new community gardens. Council does have established guidelines for nature strips.
- 2.3 On 4 February 2020, Council received a briefing on the draft of the Community Garden Assessment Guidelines.
- 2.4 A report to the Ordinary Council Meeting on the 15 April 2020 was deferred. Feedback received from Councillors at a further briefing on the 23 April 2020 has provided direction and is now incorporated into the draft Final Community Gardens Assessment Guidelines (Attachment A)
- 2.5 These Guidelines will provide a framework for how Council will consider the establishment of new, and management of existing, community gardens within the municipality.
- 2.6 These Guidelines provide a series of principles and responsibilities that align with the intent of Council's draft 'Public Space Strategy'. These principles and responsibilities will guide and direct community when establishing and managing all licensed community gardens within the municipality. It is intended this document will sit as operational guidelines under the pending 'Public Space Strategy' and will operate alongside Council's 'Nature Strip Guidelines'.
- 2.7 The draft Assessment Guidelines were made available for community consultation between the 21 February and the 12 March 2020, via Council's Have Your Say engagement platform. Established garden groups were informed via email and encouraged to provide input. Five submissions were received during this period. Responses indicate a general level of support for community gardens, however several specific issues have been raised that required consideration and response and officers



have suggested changes which form part of the Draft Final Guidelines, contained in Attachment 1.

2.8 Officers now seek Council's endorsement of these Guidelines.

3. RECOMMENDATION

That Council:

- 3.1 Approves the adoption of the Community Gardens Assessment Guidelines.
- 3.2 Authorises officers to provide direct communication to Licenced Community Garden Groups informing them of the Community Garden Assessment Guidelines and their application.
- 3.3 Delegates authority to the Chief Executive Officer to make amendments to the Guidelines to correct any minor drafting errors that do not materially alter the intent of the guidelines.

4. KEY POINTS/ISSUES

- 4.1 Council has well over 30 productive gardens across the municipality including:
 - 4.1.1 Licenced community gardens on council owned or managed land
 - 4.1.2 Gardens on nature strips or verges
 - 4.1.3 Raised planters in public open spaces and parks
 - 4.1.4 Those on private land / land owned or managed by other government authorities.
- 4.2 The Assessment Guidelines outline a process for considering requests for the establishment of 'licensed community gardens on council owned or managed land' only. This process includes two gateways that applicants will be required to proceed through prior to Council considering and determining whether to approve and licence the garden.
- 4.3 Principles within the draft Community Gardens Assessment Guidelines provide a framework for how Council will manage and consider future requests for all community gardens. These have been updated to reflect the current objectives of Council's draft 'Public Space Strategy'.
- 4.4 **Places for People**
 - 4.4.1 Community Garden Groups will foster inclusiveness and the building of local community connections
 - 4.4.2 Community Garden planning and establishment must consider appropriate application of crime preventative design to create a safe environment for all users
 - 4.4.3 Community Gardens are effectively governed and self-supporting
 - 4.4.4 There are clear roles & responsibilities between Council and Community Garden Groups
 - 4.4.5 Community Garden Groups are responsible for the proactive consideration and management of risk.



4.5 **Public Spaces for a Higher Density City**

- 4.5.1 A network of Community Gardens will be equitably distributed across all neighbourhoods within the municipality subject to the availability of appropriate space.
- 4.5.2 Council will consider the proximity of existing Community Gardens when considering the establishment of any new garden requests
- 4.5.3 The establishment of new gardens are encouraged in neighbourhoods where there is a high level of urban density or future growth.
- 4.5.4 Sites should be deemed suitable for use as a Community Garden
- 4.5.5 Council does not have other requirements for that area of land

4.6 **Sharing, Inclusive and Diverse Spaces**

- 4.6.1 Community Gardens are welcoming, accessible and inclusive of the broader Port Phillip community
- 4.6.2 Community Garden Groups will promote a broader use and purpose for each Community Garden site, as a multi-purpose facility and gathering place. This includes reporting on activities hosted for the neighbourhood which promote broader social inclusion
- 4.6.3 Gardens are not for the exclusive access of a limited membership group.

4.7 **Sustainable Spaces**

- 4.7.1 Gardens will improve sustainability outcomes
- 4.7.2 Gardens will be places where the community can participate and learn how to reduce waste through examples of community composting and the on-site management of waste.
- 4.7.3 Sites will have access to adequate and sustainable water supply and sufficient sunlight
- 4.7.4 Community Garden Groups will outline how risks associated with soil contamination will be identified and managed.

4.8 The Guidelines articulate the responsibilities of all stakeholders involved in community garden projects, including obtaining capital and recurrent funding and resources independent of Council and the overall management of risks.

4.9 The responsibilities, are premised on active community involvement to ensure the adequate establishment and ongoing management of community gardens as valued community assets. They also respond to situations where a change in circumstance or interest may occur and the cessation or relocation of a garden may be necessary (e.g. an alternative use of the proposed space)

5. CONSULTATION AND STAKEHOLDERS

- 5.1 The draft Assessment Guidelines were informed by the extensive consultation conducted through the development of Council's draft 'Public Space Strategy'.
- 5.2 Consultation on the draft Assessment Guidelines commenced on the 21 February 2020 and extended until the 12 March 2020. Five submissions were received via Council's 'Have Your Say' online engagement website.



- 5.3 Responses received indicated a general level of support for community gardens, however several specific issues were raised that required consideration and response.
- 5.4 Attachment 2 provides an overview of key issues raised in community feedback and provides a recommended officer response and where appropriate suggested changes to form part of the Draft Final Guidelines (Attachment 1). Key issues raised through community feedback include:
 - 5.4.1 *Scope of Guidelines*: Suggestions to extend guidelines to incorporate: Native community plantings and composting.
 - 5.4.2 *Definition and Types of Community Gardens*: Indicates the definition of Community Gardens is unclear.
 - 5.4.3 *Providing Support to Garden Groups*: Requests that Council should support Community Gardening groups more by reducing red tape, identifying clear resources and providing encouragement from Council.
 - 5.4.4 *Garden Locations*: Suggests the guidelines should identify potential locations and notes ambiguity with language around the siting of new gardens where existing gardens are proximate.
 - 5.4.5 Consider *Local Area Needs and Constraints*. That there is the need to provide a diversity of gardens and the need to consider safety and security in considering whether or not gardens should be gated.
 - 5.4.6 *Responsibilities: Insurance*. Requirements for insurance should consider the impact on membership fees which may make gardens less accessible to disadvantaged groups, and the need to define those items that are covered by Council's insurance and those items insured by the Community Garden Groups.
- 5.5 A briefing was provided to Councillors on the 23 April 2020. Several items were raised and have been addressed through revisions to the Guidelines in Attachment A. Key changes include:
 - 5.5.1 The guideline's language provides 'encouragement' on how interested members of the community can establish a community garden.
 - 5.5.2 A section within the guidelines should direct interested gardeners to other opportunities to garden locally, beyond Licenced Community Gardens. In addition to the development of the Assessment Guidelines, officers will be undertaking revisions to the Community Gardens Page on the Port Phillip website. This will provide more detailed communications on how to garden locally, with links to the suite of guidelines that relate gardening in public spaces, including street and laneway gardens and within public spaces, and on private land.
 - 5.5.3 A requirement within the second assessment gateway for the assessment process to consider how green waste can be accommodated onsite through composting, and referencing Council's 'Don't Waste It' strategy.
 - 5.5.4 Noting the ability for gardens to be auspiced or noting the ability for Licenced Garden Groups to manage more than one site.
 - 5.5.5 Encouraging the establishment of new gardens in high density locations.
- 5.6 Input has been provided by Council's Open Space and Recreation, Project Services, Organisational Performance, Asset Management, Safety and Amenity, City



Development, Strategy and Design, Transport Choices and Environmental Sustainability departments. This has included working sessions to confirm principles, and to map out procedures that are outlined in the assessment.

- 5.7 Community gardens align directly with the 'Council Plan', the 'Health and Well Being Plan', 'Don't Waste It' strategy and will sit as operating guidelines under the pending 'Public Space Strategy'

6. LEGAL AND RISK IMPLICATIONS

- 6.1 Applications for Licenced Community Gardens on Council Owned or Managed land, must be made by an incorporated community group or auspiced. Community garden groups or auspicing agencies may manage the licence of more than one site.
- 6.2 Assessments will consider if groups have demonstrated an awareness of risks associated with a publicly accessible community garden and outlined a risk analysis to manage these. This will include managing potential soil contamination.
- 6.3 Incorporated garden groups are required to manage their own public liability insurance and, through annual reporting, are required to provide Council with evidence this has been obtained. This is consistent with requirements of other users of Council land and buildings.

7. FINANCIAL IMPACT

- 7.1 The assessment of applications is dependent on current staffing levels and there are no costs associated with adoption of these guidelines. The establishing of guidelines will make Council processes much clearer to both staff and members of the community.
- 7.2 Costs associated with the establishment and ongoing maintenance of gardens is the responsibility of garden groups to pursue through grants, sponsorship or other sources. Grants may be issued through Council's grants programs, but only in circumstances where applications can meet the intention and criteria of those funding programs.
- 7.3 In assessing individual applications, in line with Council's Property Policy, Council will consider costs associated in allocating minimum rental rates to support community garden groups to utilise what may generally be considered underutilised assets. This would be consistent with other users of Council land and buildings.

8. ENVIRONMENTAL IMPACT

- 8.1 Community gardens provide a setting in which residents can contribute to the development of a sustainable urban environment. They are places for learning and sharing knowledge by being physical exemplars of sustainable living practices.

9. COMMUNITY IMPACT

- 9.1 Community gardens can provide much more than just the opportunity to grow food locally. They sustain community spirit and foster community connections in the places that these residents share, care and are collectively responsible for.
- 9.2 Community gardens provide opportunities for residents to actively build community through shared activities. A recognised recreational activity, gardening contributes to the health and wellbeing of the community through a range of social, environmental and educational benefits. A successful community garden can also be an activity that is enjoyed at one time across different generations making it a truly inclusive activity for all segments of the community.



9.3 Principles within the draft guidelines seek to broaden benefits by encouraging incorporated garden groups to more actively engage with the wider Port Phillip community. This will ensure sites are not for the exclusive use of select groups. This may also have benefits in assisting the development of links with other community activities (e.g. Men's Shed) and strengthen ties into the educational programs at local schools.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

10.1 Community gardens align directly with the Council Plan, Councils Public Health and Well Being Plan and will sit as an operating guideline under the Council's pending 'Public Space Strategy'.

11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

11.1.1 A communications plan to inform the community and key stakeholders of Council's Guidelines will include promotion through Council's website and direct notification provided to existing Licenced Garden groups

11.2 COMMUNICATION

11.2.1 Revisions to Council's Community Gardens webpage to provide detailed communications on how to garden locally. This will include links to the suite of guidelines that relate gardening in public spaces, including street and laneway gardens, parks and public spaces and on private land.

11.2.2 The guidelines will be promoted through Council's website.

11.2.3 Direct notification will be provided to established Community Garden Groups.

12. OFFICER DIRECT OR INDIRECT INTEREST

12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

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ATTACHMENTS

- 1. Attachment 1 Draft Final Community Gardens Assessment Guidelines**
- 2. Attachment 2 Summary of Submissions Community Gardens 20 May 2020**