

## Attachment 2

### Summary of issues raised in submissions and council officer response

Summary of Issues Raised in Feedback	Officer Response and Recommended Changes to the Guidelines
<p><b>Issue 1: Scope of Guidelines:</b></p> <p>Overall, feedback received provides a level of support for Community Gardens.</p> <p>Notwithstanding, it has been suggested the guidelines should extend to incorporate:</p> <ul style="list-style-type: none"> <li>- Native community plantings.</li> <li>- Opportunities to keep food waste within our community (to reduce waste, transport and carbon emissions).</li> </ul>	<p><i>Discussion</i></p> <p>Council has well over 30 productive gardens across the municipality and support a number of different types.</p> <p>The draft Community Gardens Assessment Guidelines forms part of a suite of materials to assist those wishing to garden locally, and are limited to provide a framework for how Council will consider Licenced Community Gardens on Council Owned or Managed Land only.</p> <p>Planting natives in nature strips and roadways can be undertaken by interested parties but must comply with Council's Nature Strip Guidelines. Council also regularly undertakes indigenous community plantings in its parks and reserves, and encourages community participation. Many of these events are conducted in partnership with local groups (e.g. Friends of Lagoon Reserve, Earthcare) who regularly undertake planting and maintenance in local areas.</p> <p>Council encourages and supports residents to consider how it can keep food waste in our community and supports this via a number of different programs including the Discount Green Cone bins. Council encourages the establishment of community composting, ancillary to established uses such as Community Gardens or facilities.</p> <p><i>Recommended change to the draft guidelines</i></p> <p>No change.</p>
<p><b>Issue 2: Definition and Types of Community Gardens</b></p> <p>One written submission notes the definition of Community Gardens is unclear – indicating that raised planter boxes in public spaces for example, are excluded from the guidelines.</p>	<p><i>Discussion</i></p> <p>As noted above, Community Gardens are one of a number of different productive garden types found across the municipality, and the draft Community Gardens Assessment Guidelines forms part of a suite of materials to assist those wishing to garden locally.</p>

	<p>Guidelines for street and laneway gardens, are currently being prepared which will include raised planter boxes on streets, laneways and verges.</p> <p><i>Recommended change to the draft guidelines</i></p> <p>The “Scope” section updated to articulate where these guidelines apply and do not apply (other types of gardens that are not covered by these guidelines).</p>
<p><b>Issue 3: Providing Support to Garden Groups</b></p> <p>Views expressed in submissions range from garden groups conveying “<i>strong support [for Council] to provide residents and ratepayers with greater access to a larger number of Community Garden spaces</i>” to suggestions that Council should support Community Gardening groups more by:</p> <ul style="list-style-type: none"> <li>- Making it as easy as possible to setup and manage Community Gardens of any type in public or private space</li> <li>- not spending unnecessary time ‘<i>overhead in administration</i>’.</li> <li>- Identifying clear resources</li> <li>- Providing encouragement from Council</li> <li>- Liaising and skill sharing</li> </ul>	<p><i>Discussion</i></p> <p>Public Space within Port Phillip is highly valued, and as our density increases the role and use of public space is changing. A key principle outlined in the draft Public Space Strategy, is to ‘<i>embed sharing</i>’.</p> <p>Council, in considering the allocation of public land to a licenced group is required to ensure the fair and equitable use of land, when balanced against broader community needs and aspirations.</p> <p>Establishing a Community Gardens is complex. This policy places an onus on the applicant with regard to setup, management and administration. Ensuring a group is able to effectively establish and manage a garden and can effectively consider and manage risks, are key consideration when entering into any formal agreement for the use of land. It is acknowledged that establishing any community group takes considerable planning and effort. It is anticipated these guidelines will assist by providing a clear outline of roles and responsibilities for all stakeholders involved in Community Garden projects.</p> <p>Gardening groups can apply for grants and funding from Council from a number of existing programs and grants. Community Garden groups that do enter into formal licences are further supported with minimum rental rates set for properties in line with Council’s property policy.</p> <p><i>Recommended change to the draft guidelines</i></p> <p>No change.</p>
<p><b>Issue 4: Garden Locations</b></p> <p>Specific concerns have been raised in relation to the principles to consider future sites:</p>	<p><i>Discussion</i></p>

<ul style="list-style-type: none"> <li>- One submission received suggests the guidelines should identify potential locations for Community Gardens including identifying opportunities or any underutilised land.</li> <li>- A comment is provided on the imprecise language used to consider proposed sites. It notes within the draft guidelines, proposed sites should not be within proximity of an established Community Garden without <i>'suggesting what this proximity is'</i>.</li> </ul>	<p>The success of Community Gardens relies heavily on the communities to garner local interest and drive their success. Local communities are often best placed to identifying local opportunities and priorities within local areas. Council is best place to provide information and advice on the suitability of sites that have been identified, and guide applicants through the assessment process, formal permits and requirements.</p> <p>Within the draft Community Gardens Guidelines, the principles to be considered in assessing future requests includes that <i>'sites are not in a neighbourhood already supporting a Community Garden or within proximity of a Community Garden.'</i> The idea underlying this principal is around ensuring a network of Community Gardens distributed across the municipality, that can equitably service all neighbourhoods. The proximity of neighbouring gardens and level of use could also form a key consideration.</p> <p><i>Recommended change to the draft guidelines</i></p> <p>It is recommended that there be no change to the responsibility for identification of suitable sites.</p> <p>It is recommended the principles under higher density city be reworded:</p> <p><i>'A network of Community Gardens are equitably distributed across all neighbourhoods within the municipality.</i></p> <p><i>Council should consider the proximity of existing Community Gardens when considering the establishment of any new garden requests.'</i></p>
<b>Issue 5: Consider Local Area Needs and Constraints</b>	
<p>One submission notes that there is the need to provide a diversity of open and gated gardens. It also indicated the need to consider safety and security in considering whether or not gardens should be gated.</p> <p>This submission further notes the guidelines should acknowledge gardens can have different and distinct purposes:</p> <ul style="list-style-type: none"> <li>- Gardens can provide a resource for recreation and social interaction. In these circumstances there are no expectations of produce for personal use, gardens provide for generally communal use, and</li> <li>- Gardens that are productive where individuals garden primarily for personal consumption.</li> </ul>	<p><i>Discussion</i></p> <p>The guidelines should be able to accommodate the limitations of sites and local circumstances. This may include poor levels of public surveillance or perceptions of safety. Considering how risks can be mitigated and managed, including the use of fencing and gates may be considered, but is not encouraged.</p> <p>As our population grows, the demand for different users of public space is increasing, which means that Council needs to avoid exclusive use of sites where possible and embed a principle around sharing to accommodate multiple uses and user groups.</p> <p>For facilities that currently provide gated access, the policy requires that Community Garden groups demonstrated how, through their annual reporting ,they provide</p>

<p>It notes these types require different commitment by individuals to “maintain and [there can be ] ... considerable financial outlay for seedlings, fertilisers, mulch and other .. only viable with restricted public access to guard against theft and vandalism’</p>	<p>broader use for all members of our community, and support neighbourhood activities that promote social inclusion.</p> <p><i>Recommended change to the draft guidelines</i></p> <p>No change required.</p>
<p><b>Issue 6: Responsibilities: Insurance</b></p> <p>Requirements for insurance, should be considered so that an increase in premiums do not substantially increase membership fees, making gardens less accessible to disadvantaged groups within the community.</p> <p>It is suggested there is a need to define those items that are covered by Council’s insurance and those items required to be insured by the Community Garden (e.g. where items are council infrastructure, it should be the responsibility of Council).</p>	<p><i>Discussion</i></p> <p>The draft Guidelines require Community Garden groups to ‘<i>obtain public liability insurance with a minimum cover of \$20 million and insurance for any chattels, fixtures or contents within the Council property</i>’.</p> <p>Estimated cost difference of a premium between a \$10 or \$20 million cover may be in the order of 25%. Notwithstanding it is recommended the minimum cover of insurance should not be specified within the policy but should form part of any standard licence requirements as these are subject to review upon the granting of each new licence.</p> <p>In responding to the need to define responsibilities between Council and Community Garden Groups, each Community Garden presents a unique setting and series of circumstances, which will need to be considered through the assessment process and drafting of any licences relating to the use of the site. The form of licence will be determined by Council and only minor departures are permitted based on any peculiarities that may relate to individual sites.</p> <p>In considering new licences, it will be the responsibility of Groups to insure any improvements undertaken (eg establishment of garden beds, shed and contents). Council will retain responsibility of items relating to the original condition of buildings or infrastructure such as fencing if this is present.</p> <p><i>Recommended change to the draft guidelines</i></p> <p>Suggest the following changes relating to insurance:</p> <p><i>Community Gardeners or groups operating licensed Community Gardens on Council owned or managed land will... obtain and maintain Public Liability Insurance with a minimum cover as required by Council and insurance for any of the group’s improvements, buildings or works, and contents within the Council property.</i></p>