

# INNER WEST

## Community Gardens Guidelines (Draft)

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*Inner West Council acknowledges the Gadigal and Wangal peoples of the Eora nation who are the traditional custodians of this land, and would also like to pay respect to Aboriginal Elders, past and present, and acknowledge their young people who will be our future leaders*

## Introduction

Inner West Council's Community Gardens Policy provides the framework for Council to support community gardens.

In the Inner West, community gardens are designed, built and maintained by independent groups made up of community members. Council aims to enable and encourage community gardens that contribute to an ecologically sustainable Inner West, liveable neighbourhoods and caring, happy, healthy communities. Community guardianship strengthens the longevity, sustainability and success of community gardens.

These Community Gardens Guidelines are to assist groups seeking to develop new gardens on Council land.

For the purposes of the Community Gardens Guidelines, Council land refers to land owned or under the care, control and management of Inner West Council zoned as Public Recreation.

### What is a community garden?

A community garden is a community-managed space for non-commercial food growing and other gardening activities, accessible to and for the benefit of the local community.

Gardens outside the scope of the Community Gardens Policy are:

- Verge gardens and gardens in laneways and other areas of the road reserve
- Gardens on private property where community access is not allowed.









## Considering a new community garden?

Establishing a community garden is a significant, long term project that requires ongoing effort and involvement from community members – even before the garden exists.

Being aware of what's involved and setting realistic expectations of timeframes means your group is more likely to see the project through.

Before you get started, it's helpful to ask:

- Is there an existing community garden to join?
- Have you visited other community gardens to see how they work and understand what's involved with starting and maintaining a garden?
- Is there enough community interest – both in numbers, level of commitment and enthusiasm?
- Is there wider community support for the proposed community garden?

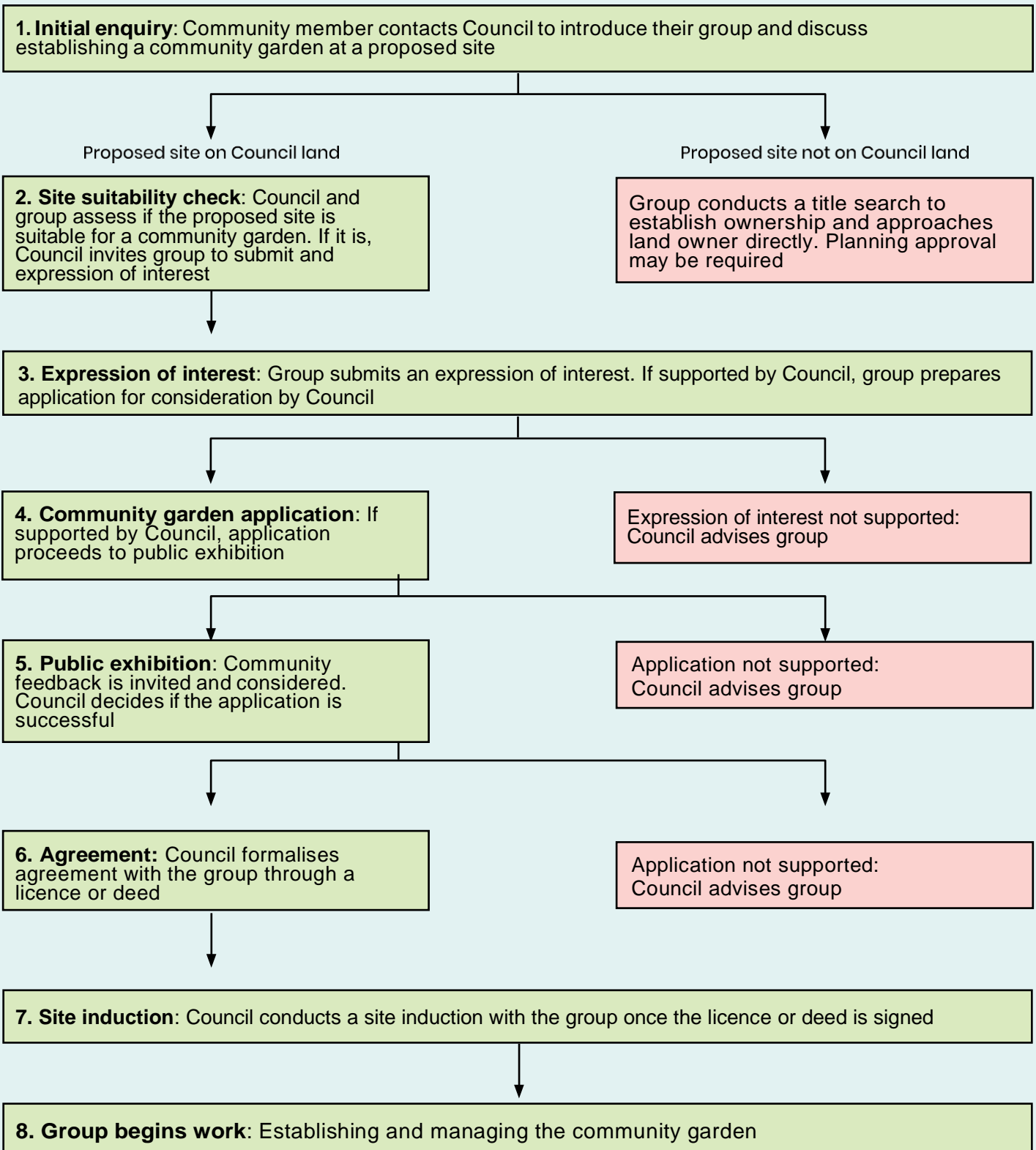
## Establishing a community garden group

A key component of successful community gardens is the people involved. The first thing to do is get a group together who are committed to the project. If you plan to establish a community garden on Council land, you will need to demonstrate to Council that there is broad community support for the garden and that your group has the capacity to establish and manage the garden long term. Look for opportunities to form relationships and build community. Your group should predominantly be made up of Inner West community members.

Many skills come in handy when developing and maintaining a community garden – identify the skills, resources and networks of your group and make the most of them. Useful skills your group could have are gardening or horticultural knowledge, landscape design and construction. Experience working with community groups and volunteers is also invaluable and it is essential that time is taken to build the relationships within your group. Other useful skills include encouraging and organising others, managing meetings, completing paperwork, raising funds and posting on social media. Successful groups use their strengths and share the load.

## Starting a community garden on Council land

The process for starting a community garden on Council land is stepped out below. It relates to gardens on Council land, but many of the activities are also helpful for establishing community gardens on non-Council land. The process supports an independent and successful group, and a well-planned and well-resourced garden.



## 1. Initial enquiry

When you contact Council and introduce your group, project idea and proposed site, Council staff will conduct an initial investigation. At this stage, Council will look at:

- The land tenure (whether the proposed garden location is on Council land)\*
- The land use category and what it allows or restricts
- Whether the relevant park Plan of Management authorises community gardening
- The site's capacity to accommodate a community garden - there are many competing demands on public open space in the Inner West
- Whether there is demonstrated interest from the community (eg number in your group and their commitment/interest)
- Potential benefits to the community

\*If a proposed community garden is situated on land not managed by Council (such as school or church land), your group must have permission from the relevant landowner or manager. Note that planning approval may be required from Council.

## 2. Site suitability check

Council staff then visit the site with your group to discuss if the site is suitable for a community garden, considering areas such as:

- **Location and context:** Is the proposed community garden in keeping with Council's Plan of Management for the site; how will the proposed garden affect the open space values of the park; has the site been identified for wildlife protection; what is the potential for connection or conflict with park users and neighbours; is there benefit in having a garden here?
- **Safety:** Are there safety or health concerns; can these be addressed; is there good passive surveillance (eg can the proposed garden be seen from the road, nearby houses or retail areas); what is the potential for community activation?
- **Access:** Can people get there and access the site eg does it have accessible footpaths and facilities, is it close to public transport, accessible parking, and is there access for deliveries?
- **Solar access:** Is the site suitable for growing food, ie does it receive full sunlight for at least five to six hours per day?
- **Terrain:** Is the site appropriate for the activities that your group wants to undertake eg is it relatively flat, protected from wind, sheltered?
- **Size:** Is the site appropriate for the project and likely size of your group?
- **Water:** Is there access to a water supply or possibility of harvesting rainwater from neighbouring buildings?



### 3. Expression of interest

If the site is suitable, Council will invite your group to submit a simple expression of interest that outlines:

- The exact location and size of the proposed garden.
- Your group's shared vision for the proposed garden and its benefits to the community.
- Contact details for your group. Your group may not have a formal structure at this stage but includes several community members committed to developing the project. This organising group will eventually prepare the application.
- The size of the organising group and longer term proposed size of your group's membership.
- Interest from the broader community and any wider support for a community garden at the proposed location.

If your expression of interest is supported by Council, staff will meet with your group to progress a full application and discuss requirements like public liability insurance, incorporation and formalising the use through a licence or deed.

### 4. Community garden application

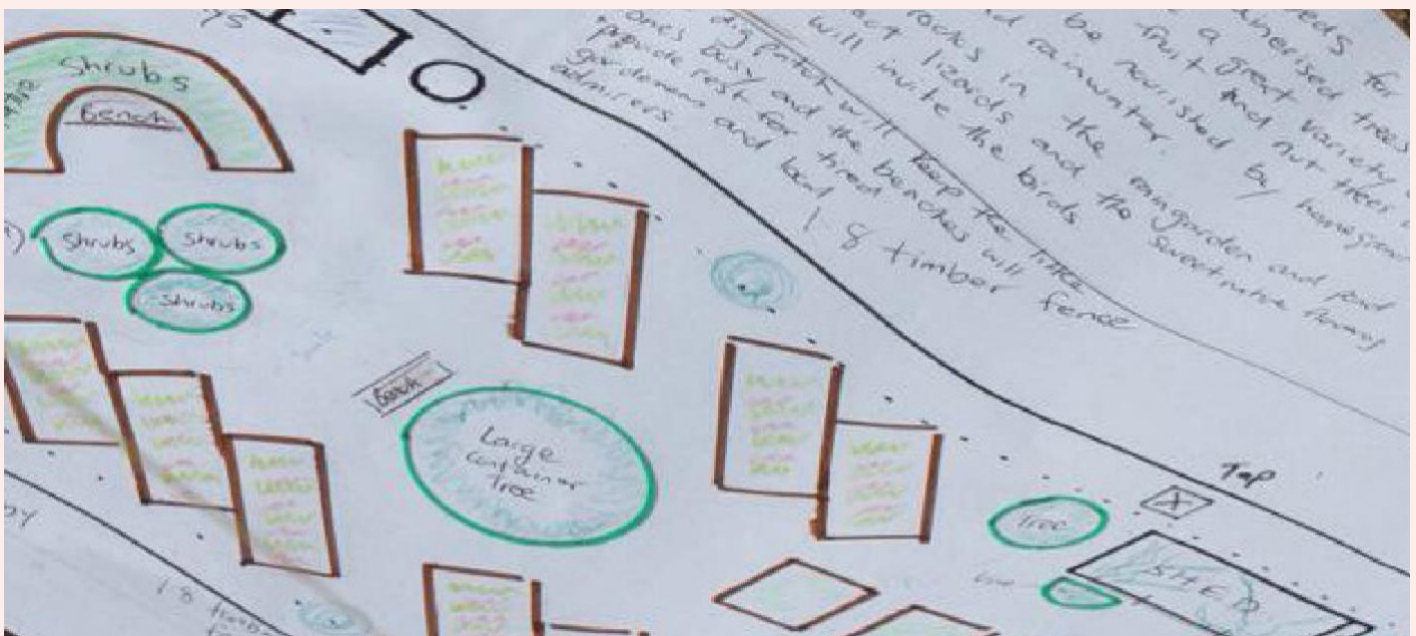
Once your group is functioning well, has good community support and has planned out the resources (volunteer time, skills and expertise, materials, funding) and processes required to establish and maintain the garden, you are ready to develop your application. Groups that take the time to plan and design their project together are more likely to be successful.

Council can provide advice and support to your group and has developed an online application process to step you through. The application will be submitted online with the site plan and a community garden management plan for your proposed community garden.

Some design elements and activities may require planning approval, which is a separate process to the community garden application.

#### i. Site plan

This shows the physical design of the proposed garden and likely activities (eg composting).



## ii. Community garden management plan

The management plan defines the overall vision and objectives for the garden, describes the roles and responsibilities of the group members, and how the group will work together.

The plan covers your group's:

- Governance: eg code of conduct, decision-making and conflict resolution processes, membership and management structure
- Garden and group management: eg induction process, planned activities, use of space, risk management plan, gardening approach, resourcing plan, communication
- Access and inclusion: eg how your group will invite and include members, visitors and the wider community to participate in activities and benefit from the garden

All community garden groups are required to:

- Comply with the law and Council's Community Gardens Policy
- Work safely and manage risks
- Protect the environment
- Ensure the public can access the community garden
- Maintain a pleasant, safe and welcoming environment
- Establish and follow a clear code of conduct and conflict resolution process
- Liaise with Council, provide information and participate in activities as required by agreement
- Establish and maintain a contact person for the group
- Support use of the community garden for education and demonstration purposes

## iii. Resourcing

Community gardens groups need to aim for long-term financial sustainability and the self-sufficiency of the group and garden.

Your resourcing plan will cover how you will fund establishment and operational costs. For example:

- Public liability insurance and incorporated association fees
- Costs of involving the community (eg promotional material, mail-outs)
- Garden materials such as garden beds, tools, soil and plants
- Engaging professionals or contractors to design and/ or build the garden, if needed

Many groups raise funds through annual membership fees which can be a consistent income stream, grants from other bodies, donations from local community members and businesses.

Your group's community garden management plan will demonstrate how you will practically achieve this.

The application is your opportunity to show how your community garden will benefit the Inner West community and demonstrate that your group has the capacity to govern and manage it. Once this is clear, Council will invite feedback from the wider community.

## 5. Public exhibition

Your group's application, site plan, and community garden management plan will be put on public exhibition for 28 days so the wider community can comment on the proposal. All feedback will be considered by Council in making a decision.





### Group Incorporation

Council requires community garden groups on Council land to have a clear and identified legal structure. Therefore, groups using Council land are required to apply to the NSW Office of Fair Trading to become Incorporated Associations.

Becoming an Incorporated Association provides groups with flexibility in the management of funds and enables them to open a bank account, obtain public liability insurance cover and apply for government grants.

Incorporation as an association requires groups to establish a management committee with annually elected office bearers and to commit to regular meetings. Having a committee helps share the tasks of garden management and avoids excessive responsibility being placed on a few people.

Documented evidence of the establishment of an Incorporated Association must be supplied to Council prior to any licence or deed being developed.

### Risk and Insurance

All community garden groups working on Council land must satisfactorily complete a risk management process before a licence or deed to undertake community garden work is developed. It is essential that community garden groups identify and manage risks associated with undertaking a publicly accessible community garden project and be registered on Council's volunteer register. Council and groups have a duty of care to the community who access community gardens.

Council requires community garden groups working on Council land to hold appropriate insurances. Council has insurance cover for individual volunteers for approved community garden activities however community groups must ensure they take out public liability insurance cover to the value of \$20,000,000 for any third party claims.

Any claim made against Council's insurance policy for an individual volunteer will be subject to an assessment by Council's insurer to determine whether the claim meets the requirements of the policy, whether the volunteer is on Council's volunteer register and whether appropriate risk management and workplace safety practices have been adhered to by the volunteer.



## 6. Agreement with Council

Following public exhibition, Council will make a decision to approve or decline your application. If approved, Council will develop a licence or deed. By the time this is signed your group must be incorporated and insured.

The licence or deed will contain special conditions and outline the activities that will be permitted to enable your group to develop and maintain the community garden. These are specific to the site and group. Any proposed changes to garden activities or the use of space require approval from Council.

Activities typically include the installation of raised bed gardens, composting and worm farming, mulching, organic garden management, growing and harvesting of food plants, establishment and maintenance of rainwater harvesting systems, and non-commercial community events like working bees, open days, workshops and tours.

Due to widespread soil contamination in the Inner West, all new garden beds are required to be raised with an underlying barrier, such as geotech fabric. The raised beds should be at least 450mm tall and taller if required to accommodate the plants' root systems.

When determining what is allowed, Council will consider the context of each site and each group's needs and capacity. Some activities may require development approval which is a separate process.

The initial licence or deed will be for two years with an option for an additional three year agreement after this period.

Council reserves the right to revoke or not renew a licence or deed if:

- your group disbands or ceases to function
- the site becomes unsafe
- conditions of the licence or deed are breached
- requirements of the Community Gardens Policy are not met
- appropriate insurance cover is not maintained

## 7. Site induction

Council will conduct a site induction with your group when the licence or deed is executed. Groups must be covered by public liability insurance before any work or activities begin on the site.







#### 8. **Group begins work – establishing and managing the garden**

Your group gets on with creating and maintaining a successful community garden, to be enjoyed by garden members and the broader community.

Council encourages groups to build local relationships and connect across the Inner West by:

- Participating in the Inner West Community Garden Network, which has regular meetings and updates
- Sharing information about the community garden on Council's website
- Promoting community garden events through Council channels

As described in the Community Gardens Policy, support is available from Council, including:

- Access to contestable grant funding for the establishment or development of community garden projects, in line with Council's Grants and Fee Scale Policy and the annual Grant Program Guidelines

- Promotion through Council's website, workshops, communications, events and publications
- In-kind support where resources are available eg native seedlings and mulch
- Community garden network support to promote peer- to-peer learning and development
- Free or reduced cost access to community venues, in line with the Grants and Fee Scale Policy

Council looks forward to working with you and seeing your group and garden grow.

For further information about community  
gardens in the InnerWest,  
visit [innerwest.nsw.gov.au/CommunityGardens](http://innerwest.nsw.gov.au/CommunityGardens)



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