



# Community Gardens Policy

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<b>Endorsement</b>	Executive, 16 June 2016 Policy Review Panel, 30 June 2016
<b>Authorisation</b>	Council, 22 August 2016
<b>Expiry date</b>	December 2018
<b>Responsible officer</b>	Manager, Community Planning
<b>Policy owner</b>	Social Planning and Wellbeing Coordinator

## 1. Purpose

To guide Council's decision making in relation to the establishment of community gardens on Council owned or managed land within the City of Melton.

The policy provides a framework for the consideration of requests for the community led establishment and management of community gardens within the municipality. In addition, it provides guidance as to the level of support that Council may consider providing to community groups.

The policy has been developed in the context of Council's commitment to protect, improve and promote public health and wellbeing within the municipality.

## 2. Scope

This policy applies to formal requests (including but not limited to requests received via the Council's Community Grants Program, Annual Budget Submission Process and other applications) received by Council in relation to the establishment of community gardens on Council owned or managed land within the City of Melton. Other forms of landscape including but not limited to botanical gardens, market or commercial-use gardens and nature reserves are not considered within the scope of this policy.

Council acknowledges that community gardens can take on many forms including but not limited to individual and/or shared plots, crate based gardening and fruit orchards. Likewise, governance and management models vary. This policy encourages the establishment of a range of community gardens with strong community led governance structures.

## 3. Definitions

Word/Term	Definition
Community Gardens	Community gardens are places of either temporary, semi-permanent or permanent agreements where people come together to grow edible and non-edible plants in a supportive community context, typically on individual plots within a larger communal area. When carefully designed and managed they can provide a wide range of environmental, social and economic benefits. There are a number of different community garden structures, with the most common types being:

Word/Term	Definition
	<ul style="list-style-type: none"> <li>• Those with individual plots allocated to individuals.</li> <li>• Those where the entire garden is run collectively as a shared enterprise.</li> <li>• Those that integrate both individual plots and shared gardens.</li> </ul> <p>Community gardens can also take the form of 'pop up' gardening which are generally self-contained and transportable gardens plots housed in individual crates or other containers. These are generally located in activity centres and community facilities.</p>
Council Land	Council owned or managed land (with land owner's approval). For example, linear reserves and powerline easements. Council managed land may require additional approvals from the governing body of that land.
Community Group	<p>An organisation that is not-for-profit, a registered incorporated group, or association that is accessible and accountable to members of the community.</p> <p>Generally a community group has a primary objective relating to community benefit and community engagement and participation and may have an elected committee of management or executive group that act on behalf of and for the benefit of the club, organisation and/or the broader community.</p>
Crime Prevention Through Environmental Design (CPTED) Principles	Crime Prevention Through Environmental Design (CPTED) Principles aim to influence and inform decisions about designing and managing environments, in order to prevent the incidence of crime and enable communities to be safer, more secure and therefore more sustainable.

#### 4. Policy

Council acknowledges community gardens are a valuable addition to the municipal landscape and offer many benefits including:

- Contributing to positive public health and wellbeing outcomes through increased social connection and food production and availability
- Supporting community development and capacity building through skill development and sharing
- Developing community pride and enhancing a sense of place
- Fostering environmental education and increasing awareness of sustainability principles.

Council will consider community led applications that meet eligibility criteria as outlined in this policy. The objectives of this policy are to:

- Ensure community gardens comply with the requirements of the Melton Planning Scheme
- Provide guidance as to Council's role in supporting community led community gardens
- Ensure proposals for community gardens and the level of support provided is consistent with Council's strategic objectives, strategic planning and land use planning documents and resourcing availability

- Provide guidance for Council decision making in relation to the support it may consider providing for the establishment and management of community gardens
- Encourage the development of community gardens in existing and new communities
- Encourage equitable distribution and access to community gardens throughout the municipality
- Promote community led governance models for the establishment and management of community gardens
- Support the development of sustainable community partnerships
- Apply best practice principles to Council's decision making process when assessing community led applications
- Ensure community gardens are consistent with existing (and future) Council policies and procedures (e.g. Landscape Guidelines), master plans, urban design principles and Crime Prevention Through Environmental Design (CPTED) principles.

#### **4.1 Melton Planning Scheme**

The establishment of community gardens within the municipality must be in accordance with the Melton Planning Scheme and other strategic land use planning documents. Within the Melton Planning Scheme, community gardens are identified as 'horticulture', which is '*land used to propagate, cultivate or harvest flowers, fruit, vegetables, vines or the like*'. As such their establishment must not cause conflict with land use planning principles and strategic plans, particularly in relation to proposals for establishment on residential land, or land in close proximity to sensitive land uses.

Even though the use of land for a community garden may be a permitted land use in the Melton Planning Scheme, there is still a due planning process that needs to be undertaken. It should not be implied that if an application is made to establish a community garden, that a permit should or will be granted.

Council, as the Responsible Authority, must decide whether the proposal will produce acceptable outcomes in terms of the relevant State and Local Planning Policy Frameworks of the Melton Planning Scheme, as well as the purpose and decision guidelines of the relevant land use zoning and any other relevant decision guidelines.

#### **4.2 Community Group Capacity and Governance**

Council supports the development of community gardens with strong community led governance structures and acknowledges that community gardens come in many forms. Therefore, the establishment, governance and maintenance requirements vary considerably – as does the level of support Council may consider providing.

In order for Council to review a formal request for a community garden, community groups must complete an application form as part of a Community Garden Guidelines document (to be developed by Council to support this policy) demonstrating their capacity to fulfil the following criteria:

- Demonstration of appropriate community support for the establishment of a community garden
- Nomination of a preferred site(s)
- Pre-application meeting with Council's Community Planning and Recreation departments

- If required, a planning permit application related to the preferred site, with minimum application requirements be submitted including:
  - the relevant planning application form
  - recent Certificate of Title for the subject land
  - planning application fee
  - Landscape Plans to the standard identified in the Application and Project Assessment Requirements section of the Landscape Guidelines as well as any other relevant information
  - covering letter and a planning report outlining the scope of the application including:
    - a) method of operation
    - b) hours of operation
    - c) likely impacts of the use on adjoining land and
    - d) how the proposal responds to this policy and the relevant policies, zone objectives and decision guidelines of the Melton Planning Scheme.
- Essential core functions of the community group including but not limited to:
  - Incorporation or support of an auspice body
  - A highly organised, motivated and adequately skilled group of residents with demonstrable skill, commitment and time to participate in and govern the community garden in the short and long term
  - Established funds and ongoing income streams (or the ability to establish these in a timely manner)
  - Commitment to community inclusion and accessibility
  - Evidence of a plan for intended governance and management of the garden, inclusive of the expected garden life-cycle.
- Engagement with relevant community members (e.g. surveys of neighbouring residents to the proposed site) as informed by advice from Council's Community Development Officer.
- Site design and safety
- Implementation of appropriate management frameworks
- Development of a financial plan (including establishment and ongoing costs)
- Public liability and site insurance as deemed appropriate by Council's Risk Manager
- If a community garden initiative is not successful, or not maintained to a high standard, costs for the removal of the garden and infrastructure needs must be covered by the community group.

#### **4.3 Recommendations for provision of Council support**

Following the satisfactory demonstration of the community group's capacity to undertake the responsibilities (as outlined above), and relevant to the request, Council may consider the provision of support. Recommendations for support to establish community gardens will vary between requests as outlined below:

#### **4.3.1 Recommendation for the provision of land**

Recommendations for community gardens will be made by Council Officers in line with Council's financial delegation, in consultation with relevant departments and informed by the Melton Planning Scheme and outcomes of any planning permit requirements.

The following criteria will be considered by Council for the provision of land for a community garden:

##### **4.3.1.1 Essential**

- Demonstrate appropriate community support for the establishment of a community garden
- Community capacity to govern and manage the garden has been satisfactory demonstrated
- Suitable land tenure and long term lease/licence agreement can be identified or established
- Location is consistent with land use planning strategic documents and relevant planning provisions including master plans and the Melton Planning Scheme
- There is no current or future use for the land that would conflict with the use of that land or part thereof for an community garden
- Consideration of whether a planning permit is required
- Location is in close proximity to suitable existing community infrastructure
- Location contributes positively to local amenity including enhancing natural surveillance and activation of public space
- Suitable sun:shade ratio
- Disability access
- Soil quality conducive to community gardening/ability for raised garden beds
- Any necessary permits have been obtained.
- Ability to maintain the garden is demonstrated including allocation of responsibility for mowing, mending fences, pest control etc.

##### **4.3.1.2 Desirable**

- Located in close proximity to an accessible toilet
- Parking provisions and/or public transport access (including pedestrian and cycling access)
- Access to mains water

#### **4.3.2 Recommendation for capital and/or programmatic resourcing**

The provision of capital and/or programmatic funds required will vary depending on the size and model of the proposed garden, establishment plan, availability of grants and access to sponsorship.

The following criteria will be considered by Council for the provision of capital and/or programmatic resourcing:

#### **4.3.2.1 Essential**

- Demonstrate appropriate community support for the establishment of a community garden
- Community capacity to govern and manage the garden has been satisfactory demonstrated
- A Project Proposal has been developed outlining: community need and demand for a garden, governance/management model, sustainability post funding, proposed garden features and requirements
- Suitable land (including secure tenure) has been confirmed and is on Council owned or managed land (as outlined in 4.3.1).

#### **4.3.2.2 Desirable**

- Strong community partnerships based on in-kind and financial or pro-bono support.

Council may consider providing funding through the Community Grants Program to support the establishment of community gardens. In this case, decision making will be guided by the grant program criteria alongside the criteria outlined in this policy.

#### **4.3.3 Recommendation for community development resourcing**

The level of community development support required will depend on the community group - their level of mobilisation, ability to incorporate, conflict resolution skills etc. The following criteria will be considered by Council for the provision of community development resourcing:

#### **4.3.2.1 Essential**

- Demonstrate appropriate community support for the establishment of a community garden
- Community capacity to govern and manage the garden has been satisfactory demonstrated
- Appropriate joint use agreements and/or management plans are agreed to including roles and responsibilities

#### **4.4 Policy Considerations and Decision Making Criteria**

To submit a formal request, the community group must complete an application process following a Community Garden Guidelines document which will be developed by Council to support this policy. In assessing each formal request, Council will make considerations against the Melton Planning Scheme, strategic planning documents and in relation to the community group's capacity to establish, resource, govern and manage a community garden in alignment with the criteria presented in this policy.

#### **4.5 Non-Council Owned or Managed Land**

Community gardens could be located on non-Council owned or managed land, including, but not limited to residential blocks, privately owned land and Government owned or managed land. The size, tenure and management will vary depending on the private use agreements.

Community gardens on non-Council owned or managed land may require planning permits under the Melton Planning Scheme. All planning permit applications will be assessed against the requirements of the Scheme.

Council's role in supporting community gardens on private land is limited.

## 5. Responsibility /Accountability

<b>5.1</b>	<b>Manager Community Planning</b> Oversee implementation of the policy including community engagement, coordination of application process and review and collaboration with Council departments.
<b>5.2</b>	<b>Manager City Design, Strategy and Environment</b> Support for Manager Community Planning on recommendation of Council support relating to provision of land.
<b>5.3</b>	<b>Manager Recreation and Youth</b> Support for Manager Community Planning on recommendation of Council support relating to provision of land and capital or programmatic resourcing.
<b>5.4</b>	<b>Managers, Coordinators, Team Leaders and Supervisors</b> Ensure all employees are made aware of the policy.

## 6. References and links to legislation and other documents

<b>Name</b>	<b>Location</b>
Municipal Public Health and Wellbeing Plan	<a href="http://www.melton.vic.gov.au/health">www.melton.vic.gov.au/health</a>
Melton Planning Scheme	<a href="http://www.melton.vic.gov.au">www.melton.vic.gov.au</a>
The Good Practice Guide for Community Gardens	<a href="http://www.cultivatingcommunity.org.au">www.cultivatingcommunity.org.au</a>