

Community Garden Policy

Date adopted	24 August 2026
Adopted by	Council
Review due	31 August 2029
Responsible officer	Manager Healthy Connected Communities
Records reference	9179612

1. Purpose

The Community Garden Policy provides a framework for Council to support the establishment and management of community gardens on Council owned, proposed Council owned or Council managed land in the City of Melton.

2. Application And Scope

This Policy should be read in conjunction with the Community Gardens Guidelines. These Guidelines are a tool to assess proposed locations and the suitability of the community groups who wish to establish a garden.

This Policy excludes

- gardens on private land
- other forms of landscapes such as botanical gardens, market or commercial-use gardens, edible landscapes, or nature strip improvements
- community gardens established on Crown land, Department of Education land or private land, except where Council has entered into an agreement with the owners to manage the property (land and/or building)
- the ongoing management of community gardens, including the use of produce from community gardens.

3. General Provisions

Council acknowledges that community gardens are a valuable addition to the municipal landscape and play an important role in building the social fabric. They enhance the livability of the region, contribute to positive public health and wellbeing outcomes and provide cultural, social and environmental opportunities.

Council's preference is for community gardens to be co-located with other Council community facilities.

3.1. Policy Objectives

The Community Gardens Policy ensures that all requests to establish a community garden

- are consistent with Council's strategic objectives, land use planning documents and resourcing capacity

- are supported by a community led model of management
- meet eligibility and suitability criteria outlined in the Community Garden Guidelines.

3.2. Policy Principles

This Policy is based on the following three key principles:

1. Community gardens will be located within open spaces and will not compromise the function of these spaces
2. Community gardens will be the responsibility of an incorporated group to establish, manage and maintain
3. Community gardens will meet minimum standards

3.3. Policy Implementation

The Community Garden Policy is supported by an operational framework that ensures a consistent, coordinated, and equitable approach to the assessment and approval process for establishing a community garden on Council owned, proposed Council owned or managed land.

Melton City Council's Community Garden Guidelines are published on Council's website.

A request to establish a community garden must be made and undertaken in accordance with the processes outlined on Council's website and in line with this Policy.

3.3.1. The Role of Council

Council's role in relation to community gardens includes:

- considering requests from community groups to establish community gardens on Council owned, proposed Council owned, proposed Council owned and Council managed land.
- providing information to link residents with existing community gardens.
- supporting interested parties to establish and incorporate new community groups
- providing information regarding funding opportunities
- working with interested parties to assess a potential community garden site including location suitability, soil suitability, complimentary use of Council's community facilities and accessibility for all residents.
- negotiating an initial occupancy agreement with the community group to establish a community garden
- negotiating an extension to the occupancy agreement if conditions of the agreement are met and there is continued support for the community garden.

3.3.2. Assessment and Approval Process

Applicants wishing to make a request to Melton City Council to establish a community garden as defined in this policy must:

- Be community group that is incorporated or operating under an auspice
- Enter into an occupancy agreement with Council
- Have Public Liability Insurance (minimum 20 million)
- Secure their own funds to establish the garden
- Have proof of ongoing income streams, for example, fundraising activities, successful grants applications, membership fees (or the ability to establish these within six months of lodging the request)
- Provide a community inclusion plan
- Provide evidence of support from the local community
- Provide an operational plan that demonstrates evidence of being a highly organised, motivated and adequately skilled community group with the commitment and time to participate in, and govern, the community garden in the short- and long-term
- Obtain all planning and building permits as required
- Assessment of site, scope and design suitability for community gardens will be made by relevant Council Officers. A nominated site for the establishment of a community garden needs to be:
 - informed by existing (and future) Council policies and procedures (e.g. Landscape Guidelines), master plans, urban design principles and CPTED principles
 - confirmed to be on relevant land (that is Council owned or managed)
 - have access to mains water
 - have soil quality conducive to community gardening/ability for raised garden beds
 - likely to contribute positively to local amenity including enhancing natural surveillance and activation of public space
 - near suitable existing community infrastructure
 - offer a suitable sun: shade ratio.
 - near an accessible toilet
 - serviced by appropriate nearby parking provisions and/or public transport access (including pedestrian and cycling access)
 - conducive to a sustainable community garden.

Council reserves the right to decline a request to establish a community garden that is not in line with this policy.

All applications are assessed on an individual basis and are guided by Council's Community Garden Guidelines.

Assessment can include a variety of stakeholders across Council.

3.3.3. Appeals

Appeals regarding the community garden permitting process are to be addressed in writing to Council.

3.3.4. Occupancy Agreement

If agreed, Council's Legal Counsel will organise an occupancy agreement between Council and the applicant for an initial period of 12 months.

Once a lease agreement is arranged, the applicant may establish a Community Garden on the approved site, within the confines of the approved design and scope.

If the garden is assessed by Council Officers as successful after the 12-month period, a longer-term agreement can be negotiated.

The terms of the agreement will reinforce that if a community garden initiative is not successful, or not maintained to an appropriate standard, costs for the removal of the garden and infrastructure needs must be covered by the community organisation.

Council reserves the right to terminate the agreed use of the land if a community garden established on Council owned, proposed Council owned, or Council managed land:

- fails to comply with the terms of the occupancy agreement
- is not maintained
- if Council requires the land for another purpose
- becomes unsafe or unsightly
- ceases to be insured
- the group disbands or stops functioning

Additionally, both the community garden group and Council have the right to terminate the occupancy agreement if the group ceases to function or is no longer auspiced by an incorporated organisation.

3.3.5. Permit Fees and Charges

Council sets fees and charges for planning permits, building permits and occupancy agreements, which may be applied for the establishment of community gardens.

Officers will advise groups if their community garden would attract any fees.

Cost-sharing arrangements (e.g. utilities) may also be required.

3.3.6. Asset Management and Protection

It is the responsibility of community groups to establish, manage and maintain community gardens. Groups will be expected to manage and maintain their gardens to a suitable standard.

Community organisations that manage an approved community garden are required to reimburse Council for the cost of any restoration or repairs to the site that are caused by the garden and/or its associated activities. All repairs will be undertaken by approved Council contractors.

Damage whereby the user may be held liable includes (but not limited to) damage to irrigation system, broken locks, fencing and any other damage to the property.

Any infrastructure that is set up to support the garden must be demountable, and remains the property of the community organisation responsible for the management of the garden. Council cannot be held responsible for any damage or theft that may occur to it.

Council reserves the right to undertake works on the land on which the garden is established, or to terminate the provision of Council owned or managed land for a community garden. In such circumstances, advanced notice will be provided.

4. Definitions

Term	Definition
The Act	means the <i>Local Government Act 2020</i>
Auspice	To 'auspice' means to provide support, sponsorship, or guidance. The group or person requiring support is known as the 'auspicee' and the entity (usually an incorporated organisation) that auspices the group or person is known as the 'auspicator'.
Crime Prevention Through Environmental Design (CPTED) Principles	CPTED principles aim to influence and inform decisions about designing and managing environments, to prevent the incidence of crime and enable communities to be safer, more secure, and therefore more sustainable.
Community Garden	Community gardens are places of either temporary, semi-permanent or permanent agreements where people come together to grow, harvest, and propagate edible and non-edible plants in a supportive community context. When carefully designed and managed they can provide a wide range of environmental, social, and economic benefits. There are several different community garden structures, with the most common types being: • those with individual plots allocated to individuals • those where the entire garden is run collectively as a shared enterprise • those that integrate both individual plots and shared gardens.
Council managed land	Council managed land is not owned by Council however Council has landowner's permission to utilise the area, examples include linear reserves and powerline easements. Council managed land may require additional approvals (in comparison to Council owned land) from the governing body of that land.
Community organisation	A community organisation is a not-for-profit, registered, and legal entity that is accessible and accountable to members of the community. It 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.

Term	Definition
Incorporated	Community groups, operating as not-for-profit, whose members have decided to give their organisation a formal legal structure. An incorporated association has the word 'Incorporated' or the abbreviation 'Inc.' after its name.
Occupancy Agreement	An occupancy agreement grants a tenant use of a property for a specific period and is subject to certain terms and conditions.
Nature Strip	A grass strip in front of a house between a fence or footpath and a roadway, owned by the Local Government Authority and maintained by the resident.
Proposed council owned land	Proposed council owned land means a parcel of land which is intended for transfer to Council ownership (in particular, land that is part of a new estate or development which will be handed over to Council when development is complete).

5. Related Documents

Name	Location
<i>Local Government Act 2020</i>	https://www.legislation.vic.gov.au/in-force/acts/local-government-act-2020
Council and Wellbeing Plan 2025-29	Documents Reports Strategies Melton City Council

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