

# Community Gardens on Council Managed Land

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<b>Amendment Date:</b>	10/02/2009, 26/03/2013, 18/04/2017, 10/10/2022
<b>Minute Number:</b>	MIN05.1164, MIN09.162, MIN13.259, MIN17.301, MIN22.775
<b>Review Date:</b>	01/12/2024
<b>Directorate:</b>	City Lifestyles
<b>Record Number:</b>	POL22/52

## **1. Purpose**

To define Council's provisions for the management of Community Gardens on Council managed land.

## **2. Statement**

Community gardens embrace the philosophy of permaculture in a community-supported setting. These gardens incorporate functional design with the aim of producing a sustainable, harvestable yield. Permaculture gardens maximise the value and use of renewable resources, minimise waste, and catch and store energy and nutrients for reuse.

## **3. Provisions**

### **3.1. Eligibility**

Community groups applying to establish a community garden on Council managed land, must meet the following criteria:

- a) Demonstration of support by the local community and/or Community Consultative Body
- b) No other Community Garden located within the local community (i.e. within the town or village)
- c) Incorporated community group with APRA approved Public Liability Insurance cover of \$20 million that notes the interests of Shoalhaven City Council and, where applicable, the Minister administering the Crown Lands Act
- d) The proposed community garden meets the site selection criteria
- e) The requisite minimum number of members for the group will be decided upon by Council staff

### **3.2 Assessment**

- a) The community group must submit a "Proposal to Occupy Council Property - Community" application (D14/274272) to Council's Property Unit and pay:
  - application fee in accordance with the adopted Fees and Charges
  - all advertising fees associated with the licence agreement
- b) Requests for Council managed land held by the Crown will be referred to the Crown Lands department for approval
- c) Licence requests are advertised for a minimum of 28 days to seek community comment
- d) Council will consider applications and any community comment prior to determining if a licence will be granted

### **3.3 Site Selection Criteria**

Proposed sites must meet the following selection criteria:

- a) Council owned or managed reserve
- b) Consistent with the relevant Plan of Management for the reserve
- c) The community garden must:

- i. Not occupy more than one third (1/3) of the reserve area
  - ii. Be in close proximity to supporting infrastructure such as public amenities, water and car parking
  - iii. Ensure sight lines are preserved at the reserve, enabling casual supervision by the local community
- d) Council has the right to remove and/or demolish an abandoned garden after one year

### 3.4 Management Framework

- a) Community gardens are managed by a licence between Council and the incorporated community group. The licence will stipulate terms of occupancy and a minimal annual licence fee is payable.
- b) The community group will be required to pay an annual rental fee, being the Crown Lands statutory minimum annual rental fee as published on the NSW Government website. This fee applies to community gardens on both Council owned and managed land (including Crown Land), ensuring equity for all community garden groups regardless of land ownership.
- c) The licensee will be solely responsible for operational management of the licenced area, and maintaining safe access in and around the site, including:
  - funding and servicing all supporting infrastructure on the site
  - fencing
  - provision of irrigation systems
  - water (including connection and usage)
  - electricity (including connection and usage)
  - structures, garden sheds, etc.
  - plants, mulch etc.
- d) Prior to the construction or installation of any infrastructure, written approval or Development Consent will be required from Council
- e) The group's members must meet Council's volunteer safety and behaviour standards and comply with the Bushcare / Parkcare Policy to care for and maintain property
- f) Management of the site will be required to align with Council's Community Gardens on Council Managed Land Policy Statement and to follow Council's Sustainable Energy Policy

## 4. Implementation

The City Lifestyles Directorate will administer this policy

## 5. Review

To be reviewed within one year of the election of a new Council