

Community Gardens Policy (#5012)

Adopted: 25 July 2013

Background

Council occasionally receives requests from community groups to establish community gardens on Council-owned or managed properties. Community Gardens are generally small-scale, low-investment, neighbourhood communal gardening ventures where the primary purpose is growing vegetables or fruit. Community gardens may have an explicit gardening philosophy, i.e. organic growing, and they may be treated as one garden or they may allow participants with individual plots to manage them as they see fit.

Objectives

The purpose of community gardens is:

- to foster social wellbeing through community interaction in the course of using public open space for gardening
- to provide opportunities for education about gardening
- to provide opportunities for community recreation
- to create community pride in public spaces
- to provide options for those members of the community who lack sufficient private open space to have their own vegetable or fruit gardens

Policies

1. Where a community group can establish a management entity to run a community garden and where a suitable site can be found, the Council will make public land available for community gardens, subject to an agreed criteria and process.
2. Each garden proposal will be addressed on a case by case basis.
3. The Council's role in community gardens is as an enabler and supporter of community garden initiatives rather than a provider or funder.
4. Tenure will be via a licence or lease under relevant legislation and under the terms and conditions stipulated in the Council's Reserves and Parks management policy. The licence will be for a fixed term with the Council retaining the right to terminate the licence or lease with sufficient notice, if the land is not being used sufficiently or is required for another purpose.

Procedures for Developing a Community Garden

1. Establishment

- a. Community gardens must be established by a management entity and the Council will not lease or licence land for a community garden to an individual.
- b. Prior to a community garden being established:
 - i. A management entity must submit a written proposal
 - ii. Council officers must assess the proposal in accordance with the agreed criteria and report to the local community board.

- iii. The local community board must agree to the proposal.
- iv. If required public notification or consultation required under the Reserves Act 1977, the Local Government Act 2002 or any other relevant legislation must be completed.
- v. The licence or lease must be been signed by the Council's delegated representative and the management entity.

2. Funding

It is the responsibility of the management entity to secure funding for its community garden. The management entity may sell produce grown at the community garden to fund gardening activities.

3. Fees

The management entity shall be liable for the payment of a lease or licence fee for a community garden site, where applicable.

4. General Conditions of Occupation

- a. Tenure will be for a maximum of five years. Extensions of this period will require approval of the local community board.
- b. Maintenance of the community garden and any improvements to the site including, but not limited to, signage, fencing, garden furniture, or features will be responsibility of the management entity and will be maintained to the satisfaction of the District Facilities Team Leader.
- c. On disestablishment of the community garden, the management entity is responsible for the reinstatement of the public open space to the satisfaction of the District Facilities Team Leader.

5. Public Open Space Values

- a. The Council will seek to maintain the public use and open space values of any land used for a community garden.
- b. The location of community gardens within public open space should consider and be compliant with the primary function of that public open space and its associated uses and users. Community gardens will be located so as to minimise potential conflict with other uses and users.
- c. The Council will consider safety of sites through application of the CPTED (Crime Prevention through Environmental Design) principles.

6. Public Access

As a general principle, public access will be encouraged where possible. Management entities for community gardens should have open membership. However, a management entity may restrict membership numbers to a size appropriate to the particular site. Public access through community gardens will be addressed in the management entity's lease or licence.

7. Council's Responsibilities

The Council will maintain a contact database for all community gardens and notify representatives when there are planned works that may affect the community garden operation.

8. Contents of a Proposal

A proposal to establish a community garden should include the following:

- a. purpose of the proposed garden
- b. proposed legal and organisational structure
- c. identification of a liaison person
- d. objectives of the management entity and information to demonstrate that the entity is viable
- e. benefit of the garden to the local area and community, including who will benefit from the produce
- f. skills and competencies of the management entity
- g. proposed membership
- h. processes for decision making, problem solving, conflict resolution, training, and induction of new members
- i. requirements from the Council (if any)
- j. a map or aerial photograph showing the proposed extent of the community garden and any proposed locations for structures and storage
- k. budget, sources of funding, and whether there is a sponsor support
- l. hours of operation
- m. a management plan that covers:
 - i. management of vandalism, security, and safety
 - ii. gardening techniques proposed
 - iii. mowing and maintenance
 - iv. weed and pest control
 - v. health and safety and public liability
 - vi. details of any buildings or structures proposed
 - vii. signage
 - viii. how noise and odour issues will be managed and contained

9. Assessment criteria

- a. Criteria are needed to help assess the likely success of any proposal to locate community gardens on public open space.
- b. Factors for assessing a community gardening proposal include:
 - i. whether the site is suitable for a successful community garden. These include aspect, topography, soils and soil toxicity, the presence of other vegetation, exposure/shelter, and flooding potential
 - ii. whether health and safety issues, such as poor access or lighting, steep or eroded banks, unfenced watercourses, or previously contaminated sites or landfills, can be addressed
 - iii. whether the location allows good access to the site for community groups or individuals
 - iv. whether the location has good access to site infrastructure such as water, drainage, and transport
 - v. the site's compliance with any regulations or development controls, including the site's zoning, classification, and management plans prepared under the Reserves Act 1977, where applicable
 - vi. whether the proposed community garden would enhance the social amenities and economic wellbeing of the neighbourhood, and whether or not it will be supported and used by nearby residents
 - vii. whether the space is suitable for other uses
 - viii. potential conflict with adjoining land uses
 - ix. consideration of the views of affected parties including neighbours