<table>
<thead>
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<th>POLICY NAME</th>
<th>Community Gardens Policy</th>
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<tr>
<td>DATE ADOPTED</td>
<td>31 August 2015</td>
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<tr>
<td>ECM NUMBER</td>
<td>7243644</td>
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<tr>
<td>REVIEW DATE</td>
<td>As needed</td>
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<td>RELATED DOCUMENTS</td>
<td>Community Gardens Guidelines 2015</td>
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**Purpose**
The purpose of this policy is to:

- outline Council’s approach to the establishment and support of community gardens on both public and private land; and
- clarify the roles of Council and community groups, particularly in the case of those who apply for community gardens on Council owned or managed land.

**Policy Statement**
Penrith City Council supports the development of community gardening within the Penrith Local Government Area and believes that appropriately designed and managed community gardens can provide a wide range of environmental, social and economic benefits to the Penrith community.

For the purposes of this Policy, community gardens are defined as:

*Not-for-profit, community managed spaces that provide an opportunity for food production and other gardening activities, in an inclusive community based setting, for the benefit of members in the local community.*

To be successful community gardens require substantial community involvement in planning, decision-making, garden management, day-to-day activities and maintenance.

**Scope**
This policy applies to all community garden developments on:

- a) Council owned and/or managed land;
- b) Private land; and
- c) Land owned by other public authorities.

Council’s role will vary according to land ownership. Refer to Council’s Community Gardens Guidelines for further information.
POLICY:

Roles and responsibilities
Council has adopted a community development approach to facilitating community gardens. This approach encourages garden groups to self-govern for the delivery of successful and sustainable gardens.

Council’s role is to facilitate and promote community gardens that are sustainably managed by the community. Council will not take a lead in establishing gardens or provide funding for the establishment of gardens.

Penrith City Council in its role and responsibilities will:

- Facilitate community gardens through provision of advice for interested and committed groups.
- Assist interested and committed groups in identifying suitable public land for the development of community gardens.
- Provide advice to community groups in setting up their management committee and submitting their application for a community garden to Council.
- Provide advice and assistance to community groups in their application for grants, funding and other resources.
- Provide in-kind support when resources are available such as mulch, water options and reuse of materials for construction of gardens.
- Promote established community gardens on private and Council owned and managed land through Council’s website, networks, publications and events.

Council is not in a position to provide the following services or resources:

- Insurance;
- Administrative support (eg. photocopying);
- Holding of monies on behalf of community garden groups;
- Provision of large infrastructure (eg. sheds, rainwater tanks, sun shelters);
- Ongoing provision of plants, seeds, soil or mulch;
- Provision of tools or other equipment;
- Repair or replacement of damaged, lost or stolen infrastructure and equipment;
- Development or hosting of any internet based platforms for group communications and promotion eg. website, blogs, wikis;
- Financial support; and
- Provision of fencing for the establishment of a community garden.

Establishment of Community Gardens on Council Owned or Managed Land
Establishing a community garden can be a complex process requiring consultation with a broad range of stakeholders and consideration of a range of issues.

There are a variety of different models for community gardens. Council supports communal gardens where at least part of the garden is managed collectively.

In order for Council to consider supporting the establishment of a new community garden on Council owned or managed land, applicants will need to follow the procedure for starting a new community garden outlined in Figure 1.
Initial enquiry from Community Garden Group (Group) to Council's Sustainability Section to discuss potential site/s and introduce the Group. (Refer to Community Gardens Guidelines).

Internal: Property Department to discuss potential site/s with other Council sections to determine whether there are any conflicts. (3 weeks)

The Group is informed of potential site/s and undertakes a basic site assessment of their preferred site using the Expression of Interest Form (EOI) and lodges completed form. (2 weeks approximately)

EOI supported – Group invited to proceed with application. EOI not supported – feedback supplied and alternative site suggested.

Group meets with Council to discuss application process as well as Council requirements including public liability insurance, incorporation and licensing.

Group develops their application, which includes a Community Garden Management Plan and site plan, with ongoing advice from Council and lodges their completed application. Proof of incorporation and public liability insurance are needed at this stage.

Internal: The application will be assessed by a review panel containing representation from a broad range of internal stakeholders. (2 weeks)

Application is supported – licence process commences. Application does not meet requirements – Group provided with feedback.

The proposed licence is reported to Council for endorsement.

Council endorses the proposed licence agreement Council doesn’t endorse the proposed licence agreement

Licence is advertised for a period of 28 days (legal requirement).

Submissions not received in response to notification. Submissions received in response to notification.

Licence is issued (12 weeks approx.) Submissions are required to be reported to Council for determination.

Group can begin work. Council approves - Licence is issued (18 weeks approx.) Council refuses Licence

Group can begin work

Figure 1. Process for starting a new garden on Council owned or managed land
Considerations
There are a number of considerations that should be taken into account when planning a community garden which include:

- Capacity of the community garden group to self-organise, start and manage a community garden over the long term.
- Availability of land suitable for community gardening.
- Attitudes of neighbours to a proposed community garden.
- Suitability of land for community gardening with regard to solar access, accessibility, safety, location, size, soil contamination, fencing and storage facilities.

These considerations are explained in greater detail in the Community Gardens Guidelines.

Verge or Footpath Gardening

In general, Council will not support the conversion of grass nature strip areas into garden beds. The main concerns about nature strip gardens relate to:

- interference with underground services
- impacts on pedestrian and traffic movements and lines of sight
- Impacts on bin placement
- soil contamination
- public liability
- dealing with abandoned gardens.

Review
The Community Gardens Policy is to be reviewed on an as needed basis.

Related Documents and Legislation
Related documents, policies and legislation:

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Crown Lands Act 1989
- Associations Incorporation Act 2009
- State Environmental Planning Policy (Infrastructure) 2007
- Penrith Community Gardens Guidelines 2015