

8.6**Response to Exhibition of Community Gardens Policy and Draft Guidelines**

EXECUTIVE SUMMARY

Purpose

To advise Council of the results of the exhibition of the Community Gardens Policy and draft Guidelines.

Summary

The Community Gardens Policy and draft Guidelines were publicly exhibited from 17 December 2011 to 10 February 2012.

Nine submissions were received during the exhibition period. All submissions were generally in support of community gardens and included constructive suggestions regarding wording of the Policy and Guidelines.

The Policy and draft Guidelines have had several amendments made as a consequence of the submissions. The Policy is attached to this report at Attachment 1.

Adoption of the amended policy is recommended.

Financial Impact

The development of the Community Gardens Policy and the draft Guidelines is being undertaken within the Sustainable Urban Planning team budget.

Policy Impact

The Community Gardens Policy and the draft Guidelines will deliver a clear process for applicants and staff in relation to the establishment of community gardens in Warringah.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council adopt the Community Gardens Policy as amended in response to the submissions received.

REPORT

Background

Council resolved to develop a policy and guidelines for community gardens in Warringah in October 2011, following Council's resolution in October 2010 to conduct a research project into community gardens.

Council subsequently resolved on 24 November 2011:

- A. *That Council adopt the Policy on Community Gardens.*
- B. *That this report, together with the Policy on Community Gardens (attached) be placed on public exhibition in accordance with Council's Community Engagement Policy.*
- C. *That following exhibition any submissions received be reported to Council to consider amendments to the Policy on Community Gardens.*

The Policy was placed on public exhibition from December 2011 to February 2012.

All submissions received were generally in support of the Policy and some offered minor wording changes. Some submissions were particularly detailed and require further consideration in regard to the draft Guidelines. The submissions are addressed below.

Consultation

Four advertisements were placed in the Manly Daily Warringah Update on 17 December 2011, 7 January, 14 January and 4 February 2012. The draft Guidelines were first advertised in early January although they were placed on Council's website in December.

The report to Council, Council decision, Community Gardens Policy and draft Guidelines were placed in hard copy in all Council libraries and at Council's offices. The documents are also available on Council's website.

In addition media releases were prepared, community groups listed in the Community Directory were emailed, and emails were also forwarded to Your Say Warringah members (approx 1,400 members) and the Community Engagement list (approx 1,600 listed).

References to the exhibition were also on the Your Say Warringah website and Council's community gardens webpage.

Submissions

In response to the exhibition of the Policy and the draft Guidelines, nine submissions were received.

The submissions were all generally supportive of community gardens and made constructive comments on the wording of the Policy and draft Guidelines.

Two of the submissions nominated Dee Why as an area for a community garden.

Comments on the Policy

The Community Gardens Policy has been amended (in bold italics) in response to the submissions. The changes include references to Permaculture Warringah Pittwater and Manly, and updating of the name of the Grants and Sponsorship Policy.

It was also requested that private developers be encouraged to provide space for community gardens, and that a community garden is a place that increases community safety through passive surveillance. These submissions have not resulted in changes to the Policy for the following reasons:

- The Policy applies to only land owned or managed by Council and does not apply to privately owned land. Therefore it would be inappropriate for the Policy to encourage private developers to provide community garden space.
- It is accepted that a community garden may increase community safety, however the advantages listed in the Policy were identified by the community through hundreds of responses to the telephone survey and online survey. Community safety through casual observation was not an advantage identified by the wider community.

The amended Policy is at Attachment 1 to this report.

Comments on the Guidelines

A few of the submissions were very detailed in their comments on the wording of the Guidelines. For example, one submission made used tracked changes to highlight clauses for comment and rewording in the draft Guidelines. The work required to deliver such detail in a submission is appreciated.

It is noted that while the Policy is already adopted by Council, there is no requirement for Council to adopt the draft Guidelines. The draft Guidelines are an administrative tool, designed to aid the community, applicants, staff and Council in the establishment and management of community gardens in Warringah.

It is appropriate to give additional time for consideration of the comments on the Guidelines and to subsequently place the finalised Guidelines on Council's website as further information linked to the Policy.

This approach will avoid any delay in the adoption of the Community Gardens Policy, enable grant funding to be distributed, and enable community groups to proceed and lodge applications within the scope of the broad policy framework.

Policy Impact

The Policy and the finalised Guidelines for Establishing Community Gardens in Warringah will:

- guide the establishment and operation of community gardens on Council owned or managed land and
- clarify the roles and responsibilities of Council and the community in developing and managing community gardens in Warringah.

Financial Impact

The development of the Community Gardens Policy and the Guidelines is being undertaken within the Sustainable Urban Planning team budget.

The groups formed to establish and operate community gardens will be self-funding, and financially independent from Council. This is apart from the \$50,000 in grant/seed funding scheduled to be spent in the 2011/12 financial year on community garden projects (maximum of \$5,000 per application).

Group Manager Strategic Planning





Warringah Council Policy

Policy No. Number not yet allocated

Community Gardens

1 Purpose of Policy

This policy aims to:

- Support the establishment and operation of community gardens on Council owned or managed land.
- Establish the roles and responsibilities of Council and the community in developing and managing community gardens.

2 Principles

This policy recognises that:

- a) There is support for the establishment of community gardens in Warringah.
- b) The community has identified advantages of community gardens that include:
 - A place which enables people to come together to help build community spirit and make friends
 - A place to grow local produce
 - A place to help people without their own gardens
 - A place to share gardening knowledge and to teach children where produce comes from
 - A place for education and demonstrations of sustainable living practices
- c) The principles of equity, fairness and accessibility underpin the establishment of a community garden in Warringah.
- d) A clear process needs to be in place for establishing a community garden on public land in Warringah and guidelines for this process form part of this policy.
- e) Easy access to this policy and its guidelines for establishing community gardens in Warringah is important.
- f) A community garden must coexist with existing uses and add value to the park as a whole
- g) The establishment of a community garden will be 'bottom-up', ie initiated by the community, rather than 'top-down' from Council.
- h) Due to budgetary constraints, there is minimal financial support available from Council for community gardens.

Community Gardens Policy

3 Role of the Community

Community gardening is a valuable recreational activity that contributes to the health and well-being of the wider community and provides a wide range of environmental, social and educational benefits. Interested members of the community, community/gardening groups, and other groups, **eg Permaculture Warringah Pittwater Manly**, will be supported in establishing and operating a community garden provided the group:

- is an incorporated body or under the auspices of an incorporated body
- enters into a memorandum of understanding for the land and operation of the garden
- complies with this policy and the guidelines
- maintains the garden so that the health and safety of the surrounding community is not adversely impacted, the public land remains accessible to the public and the aesthetics of the public land is maintained
- meets the establishment and ongoing cost of the garden

4 Role of Council

Council has a responsibility to provide safe and accessible public open spaces for all users.

Warringah Council will support community gardens by working with incorporated groups to:

- Promote and raise awareness of community gardening, eg through Council's website
- Provide contact information of existing community garden organisations, **eg Permaculture Warringah Pittwater Manly and others**
- Provide a policy and guidelines for starting and operating a community garden
- Provide access to land
- Identify the roles and responsibilities associated with community gardens
- Provide monetary support where feasible, eg through a grants program, for start up or development of community gardens.

5 Authorisation

This Policy was adopted by Council on 24 November 2011.

It is effective from 24 November 2011.

It is due for review on 23 November 2015.

6 Amendments

N/A

7 Who is responsible for implementing this Policy?

Group Manager Community Services

Community Gardens Policy

Group Manager Parks Reserves and Foreshores

8 Document owner

Deputy General Manager Environment

9 Related Council Policies and documents

- a) Community Engagement Policy
- b) **Grants and Sponsorship Policy PL 011 Grants**
- c) [Asset management: GOV-PL 550](#) – as applicable and subject to any assets on the site
- d) Guidelines for establishing community gardens in Warringah (under development)

10 Legislation and references

NSW Fair Trading – cooperative and associations

http://www.fairtrading.nsw.gov.au/Cooperatives_and_associations.html

11 Definitions

Community gardens are areas of public land owned or managed by Council where community members grow food and other plants

Equity means fairness and impartiality towards all concerned
(<http://www.businessdictionary.com/definition/equity.html>)

Fairness means even handedness in dispensing justice whereby claims are recognised in the order of their legal and contractual priority

Accessibility means the

1. Extent to which a consumer or user can obtain a good or service at the time it is needed
2. Ease with which a facility or location can be reached from other locations
3. Ease of contact with a person or organisation
4. Authorisation, opportunity, or right to access records or retrieve information from an archive, computer system, or website