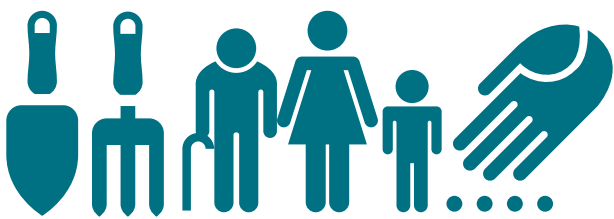




Community Garden Policy



***Policy #181
January 2024***

Purpose

The purpose of this Community Garden policy is to provide guidelines for the development of community gardens to ensure that they are established in suitable places and are well managed to mitigate any nuisance to neighbours and other affected parties. It can also connect community groups interested in community gardens with existing nearby gardens.

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. They are generally treated as one garden under the management of the committee of the community garden.

Council supports the establishment of Community gardens as they foster social wellbeing through community interaction, they provide opportunities for education on gardening, they create community pride in public spaces and provide options for those members of the community who lack sufficient private open space to have their own vegetable or fruit gardens.

Issues

There can be many issues to consider when establishing a community garden. Specific issues to consider are addressed further down under Contents of Proposal. Sometimes the site may seem suitable to the group initiating the idea but not supported by the immediate neighbours. Also, what might start of as a small-scale garden can enlarge over time as more and more people get involved, and this might cause effects not considered at the time of establishment. Each site needs to be considered on a case-by-case basis including all immediate neighbours and wider community support.

Without an established management arrangement and agreed terms and conditions, it can be difficult to resolve issues, provide confidence to neighbours on how the garden will operate and agree on training and safety requirements to ensure agreed outcomes are achieved.

Policy

Where a community group can form a management committee 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 agreed criteria and processes.

1. Each garden proposal will be considered on a case-by-case basis. Community support should be attained including consideration of all immediate neighbours.
2. The Council's role in community gardens is as an enabler and supporter of community garden initiatives, rather than a provider or funder.
3. Community gardens shall be run on a not-for-profit basis.
4. Community gardens will be drug, alcohol, smoke and vape free and shall comply with any relevant bylaws, policies, rules and regulations.
5. Permission and the terms and conditions to use the land will be formalised through a Memorandum of Understanding (MOU) between the two parties. Permission will be for a fixed term with the Council retaining the right to terminate the agreement if; it is not well utilised, there are continued breaches of the MOU, or the land is required for another purpose.

Procedures, Processes, Standards & Guidelines

Establishment

Community gardens must be established by a management committee of three or more people. Council will not enter into an agreement for a community garden with an individual.

Prior to a community garden being established:

- A management committee must submit a written proposal including evidence of consultation with potentially affected neighbours.
- Council officers must assess the merits of the proposal in accordance with the agreed criteria below and level of community support.
- 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.
- The MOU is an inclusive document which both parties agree to and is signed by the Parks & Recreation Manager, prior to the garden being established.

Funding

It is the responsibility of the management committee to secure their own funding for its community garden.

General Conditions of Occupation

Permission will be granted for a period of five years. Extensions of this permission will require approval of the Parks and Recreation Manager. If all the conditions of the associated MOU are met, it is expected that a new MOU for an agreed term, not exceeding five years, will be negotiated.

Signage, fencing, garden furniture or other structures must be approved by the Parks and Recreation Manager, prior to construction. Introduction of any new materials to site (inorganic or organic) will be approved by Council. Vegetables, herbs and fruit plants, vines and trees may be planted as part of the garden operations. Any other type of ornamental plantings will need to be approved by Council.

Maintenance of the community garden and any improvements to the site, including signage, fencing, garden furniture or features will be the responsibility of the management committee and shall be maintained to the Parks and Recreation Manager's satisfaction.

After the first five-year term, if terminated by either party, the other party requires one month notice in writing.

In the event of a serious breach of this agreement WDC may withdraw its consent for the garden to continue, taking immediate effect.

If the garden is disestablished or this agreement terminated, all structures shall be removed, and the land returned in a tidy state. On disestablishment of the community garden, the management committee is responsible for the reinstatement of the public open space to the satisfaction of the Parks and Recreation Manager.

Public Open Space Values

The Council will seek to maintain the public use and open space values of any land used for a community garden.

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 to minimise potential conflict with other uses and users.

The Council will consider the safety of sites by applying CPTED (Crime Prevention through Environmental Design) principles.

Public Access

As a general principle, where possible, public access will be encouraged. Management committees for community gardens should have open membership. However, a management committee may restrict membership numbers to a size appropriate to the site. Public access through community gardens will be addressed in the MOU.

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.

Council will undertake health and safety assessments as required. Council reserve the right to carry out site visits to assess the condition of the site and provide the garden group with feedback.

Contents of a Proposal

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

1. Purpose of the proposed garden.
2. Identification and contact details of a liaison person for the Community Garden group.
3. Benefit of the garden to the local area and community, including who will benefit from the produce.
4. Opportunities for links and synergies with community organisations such as schools, church groups, environmental groups or volunteers/voluntary organisations.
5. Discussion of innovative techniques proposed for the community gardens that demonstrate environmental sustainability.
6. Processes for decision making, consultation, problem solving, conflict resolution, training and safety induction of new members. General Health & Safety requirements should be considered, including hazard identifications and First Aid requirements.
7. Requirements from the Council.
8. A map or aerial photograph showing the proposed extent of the community garden, layout and any proposed locations for structures and storage.
9. Hours of operation during daylight only.
10. A management plan that covers:
 - a. Management of vandalism, security and safety.
 - b. Gardening techniques proposed.
 - c. Composting.
 - d. Mowing and general maintenance.
 - e. Weed, rodent and pest control, composting and waste management.
 - f. Water access and water management.
 - g. On site storage of equipment. Fertilisers and chemicals need to be secured or removed from site.
 - h. Health and safety.
 - i. Details of any buildings or structures proposed.
 - j. Signage.
 - k. No fires unless permission given by Parks & Recreation Manager. Consultation of Fire Emergency NZ website portal and inform local fire station. Consideration of how noise, smoke and odour issues will be managed and contained. Informing neighbours.
 - l. Other activities proposed e.g. hangi, social gatherings. Notification to neighbours.
 - m. No alcohol, drugs or smoking or vaping on site.
 - n. How the site will be re-established should the community garden/management committee be disestablished

Assessment criteria

Criteria to assess the likely success of any proposal to locate community gardens on public open space will include:

1. Whether the site is suitable for a successful community garden. These include aspect, topography, soils, consideration of soil toxicity – may require testing by community garden group, access to water, the presence of other vegetation, exposure/shelter, and flooding potential.
2. 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.
3. Whether the location allows good access to the site for community groups or individuals.
4. Whether the location has good access to site infrastructure such as water, drainage. No access or controlled access for approved vehicles.
5. 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.
6. Whether the proposed community garden would enhance the social amenities and economic wellbeing of the neighbourhood, and whether it will be supported and used by nearby residents.
7. Whether the space is suitable for other uses.
8. Potential conflict with adjoining land uses.
9. Consideration of the views of affected parties including neighbours.

Adoption

This Policy has been approved for adoption by Council Infrastructure Committee on 14 March 2024.