

1 PURPOSE

This policy sets criteria and principles for the assessment of requests to establish a community garden on Council controlled lands and define the conditions of occupation for an approved community garden.

2 OBJECTIVE

This policy aims to ensure that a consistent approach is taken in the assessment of requests to establish a community garden on Council controlled lands, considering the needs of the broader community and the aims of the persons wishing to establish the community garden.

The policy details the approvals mechanism for a community garden project.

3 SCOPE

This policy applies to all Council owned lands.

4 POLICY

4.1 Background

Council is supportive of the establishment of community gardens and recognises the social benefits that can be derived from such facilities.

For the purpose of this policy, a community garden is defined as *“Council land occupied by the community for the growing of produce on a not for profit basis.”*

The policy does not apply to crown lands managed by Council.

A set of assessment criteria and principles is contained within this policy to guide decision making and ensure the interests of persons wishing to develop a community garden and the broader community are equally considered.

4.2 Assessment Criteria / Principle

The following criteria and principles will be considered by Council in assessing applications to establish a community garden on Council owned lands:

4.2.1 Ownership of Land

Proposed site of the garden to be land under Council ownership.

4.2.2 Statutory/Regulatory

Use of the site is to be consistent with Council strategies and management plans for open spaces.

4.2.3 Source of Request

- a) The group seeking to use land for a community garden is to be an incorporated body.
- b) The group to lodge a written proposal to Council detailing the types of activities to be carried out on the site and scale of proposed garden.
- c) Public liability insurance coverage to be demonstrated.

4.2.4 Site Characteristics (issues to consider for site selection)

- a) Availability and usability of the site.
- b) Proximity to high density living.
- c) Proximity to public toilet facilities (or suitable alternate facilities).
- d) Soil quality and drainage.
- e) Sun exposure.
- f) Close proximity to supporting infrastructure, such as water and car parking.
- g) Area of land available <500m² with a 20 metre buffer around the garden.

4.2.5 Other Issues

- a) Potential of the activity to displace other users.
- b) Security and safety concerns.
- c) Abutting property owners are aware of the proposal.

4.3 Approvals

Where Council supports the development of a community garden on Council land, the following conditions will apply to the approval:

- a) The proponent of the community garden to be responsible for obtaining any statutory approval required for the use of the land.
- b) A lease is to be entered into between Council and the project proponent based upon current lease arrangements used for Council buildings (community groups) and include provisions related to:
 - i) Term of lease to be five years or less.
 - ii) Restoration obligations of the proponent.

5 LEGISLATION

Local Government Act 1993

6 RELATED DOCUMENTS

Burnie Open Space Strategy

Policy Endorsement	
Responsibility:	It is the responsibility of the Director Works and Services to implement this policy. It is the responsibility of the Governance Unit to maintain this policy in the corporate document system.
Minute Reference:	Item AO214-17
Council Meeting Date:	19 September 2017
Strategic Plan Reference:	Strategy 7.1.1 Formulate policy that is equitable, inclusive and responsive to current needs, and ensure decision-making is informed and accountable.
Previous Policies Replaced:	This policy replaces the previous policy <i>Community Gardens</i> version 2.0 dated 16 Sep 2014 (Item AO233-14, 16 Sep 2014).
Date of Commencement:	20 September 2017
Publication of policy:	Members of the public may inspect this policy at the City Offices, or access it on Council's website (www.burnie.net)