



# Community Gardens

ON COUNCIL OWNED PUBLIC OPEN SPACE  
- GUIDELINES -



September 2021



GREATER  
DANDENONG  
*City of Opportunity*

These guidelines have been created to help local community groups through the process of starting up a community garden on Council owned and/or managed public open space land in Greater Dandenong.



# What is a community garden?



Community gardens are generally not-for-profit, local spaces that operate on designated land for residents and volunteers to grow fresh food and other plants, participate in sustainable urban practices, improve food literacy, learn horticultural skills, and build community connections through shared activities.

There are two types of community gardens as defined by Sustainability Victoria:

- › Shared gardens - where gardeners have responsibility for the entire garden, working together to care for the plants and taking a share of what is produced.
- › Allotment gardens - where gardeners each have their own plot and use it as they wish.

Many community gardens combine both shared and allotment gardens.

Council recognises that community gardens provide a wide range of social, environmental and economic benefits.

## COUNCIL SUPPORT

Council supports and encourages the local community to initiate, establish and self-manage community gardens in appropriate locations with the support of Council as defined within this document and the Council's *Community Gardens on Council Owned Public Open Space Policy*.

Self-managed community gardens lead to increased community ownership and the long-term success of community gardens. Building strong partnerships between Council, neighbours, community groups and organisations in the local community is key to the long-term success of community gardens.

With a growing population, heightened interest in sustainable living, and high community expectations, it is important for Council to ensure the needs of existing residents and future generations are met by balancing how public open space is managed.

Any direct involvement in community gardens by Council is subject to available resources.



How to start a  
community garden  
on Council owned  
public open space



## STEP 1 ESTABLISH A WORKING GROUP

Gather together a small group of people with a broad range of skills to form a working group. Decide what it is you want to achieve, how the garden will be used, who will be able to use it and how it will be funded. You will also need to start discussing how the group will be managed and consider the need to become an incorporated association (see details at Step 9).



## STEP 2 FIND THE RIGHT LOCATION

Before proposing that public open space be converted for use as a community garden, interested individuals and groups are requested to investigate private land options.

Council encourages organisations and residents interested in starting a new community garden to explore opportunities on private land such as places of worship, schools and childcare centres before seeking to use public open space land. Alternatively, new community gardens could be co-located with existing community facilities such as neighbourhood houses or community centres.

When choosing a potential site, you should consider the matters outlined under 'Assessment Criteria' in these Guidelines.

Where other options aren't found to be feasible and public open space is being proposed, your community group should submit an Expression of Interest form to Council.



## STEP 3 EXPRESSION OF INTEREST - PROJECT PROPOSAL

The Expression of Interest will need to detail the following:

- A project proposal that summarises your initial project ideas and responds to these Guidelines (in particular the Assessment Criteria); .
- A simple concept design for the garden and its location within the park;
- How your group plans to fund, operate and include the members of the broader community.



## STEP 4 REVIEW & COLLABORATION

Council officers will review the project proposal against the Guidelines and Council's policies and strategies, the suitability of the site, and the concept plan to determine if any permits are required and consider other relevant issues before deciding to give in-principle support, to request changes, or to not support the proposal.

It may take several months to collaborate with Council officers to review and refine your proposal. This process is important because officers need to address all issues and manage risks.

*Proposal supported  
in-principle*

*Changes may be  
negotiated, or proposal  
not supported*



## STEP 5 COMMUNITY GROUP LED PUBLIC CONSULTATION/ ENGAGEMENT

Council strongly encourages you to discuss your idea to establish a community garden with local residents, businesses and other community groups that may have an interest in the land you propose to use. This is best done after receiving in-principle support from Council.

You could also arrange a community gathering to explain your initiative and give participants an opportunity to comment. This could double as an opportunity to obtain additional members for your group.

Council will also undertake formal community consultation for the proposal, as detailed below.



## STEP 6 GARDEN DESIGN AND FUNDING

Council officers will work collaboratively with community groups to develop the submitted proposed concept design of the garden and location within a park into a detailed garden design and estimated cost of construction.

Community groups should identify potential funding sources (community grants, cash sponsors and/or in-kind support) for both the establishment and ongoing operation of the garden.



## STEP 7 FORMAL APPLICATION

Once in-principle support is granted and the garden design finalised, Council officers will require a detailed application to be submitted. The application must respond in detail to the *Council's Community Gardens on Council Owned Public Open Space Policy* and these Guidelines.



## STEP 8 COUNCIL LED COMMUNITY ENGAGEMENT AND CONSULTATION/ PERMIT PROCESS

Most community gardens on Council owned land will require a planning permit.

Where a planning permit application is required, community garden organisations must apply for a planning permit. These applications will be advertised under the requirements of the *Planning & Environment Act 1987* to surrounding residents and businesses for their comment prior to a decision being made on the application. A separate community consultation will not be required in this instance.

Where a planning permit application is not required, Council will undertake a four-week community consultation process, in accordance with Council's Community Engagement Policy to seek the comments of surrounding residents and businesses prior to a decision being made.

The process to assess the proposal may take several months, depending on the issues that have been raised during this process.

*Project approved and Permits obtained*

*Outstanding issues or conditions not met - project not approved*



## STEP 9 INCORPORATED ASSOCIATION & INSURANCE REQUIREMENTS

You will need to apply to Consumer Affairs Victoria to become an Incorporated Association. This affords your group some flexibility in the management of funds and will enable you to open a bank account and apply for government grants. Incorporation of an association requires groups to establish a management committee with annually elected office bearers and to commit to regular meetings. An alternative to incorporation is to become auspiced by an existing community association such as a Neighbourhood House.

Each community garden has a duty of care to the community who access the garden area. On signing an agreement with Council to operate a community garden on Council land, the community garden organisation is required to meet certain requirements. This will ensure that the requirements of Council's Public Liability Insurance Policy provide the appropriate level of insurance for residents to set up and maintain a community garden.



## STEP 10 AGREEMENT

Once the group has become an Incorporated Association with all relevant permits and approvals, use of the land for a community garden will be formalised through an agreement between Council and the responsible incorporated community garden organisation.



## STEP 11 CONSTRUCTION

The construction and establishment of the community garden can commence once the agreement is signed. Details regarding construction will be determined between Council and the community garden organisation and will be dependent on the specific nature of each community garden. Construction of community gardens must be in accordance with all relevant standards and specifications and to the satisfaction of Council.

Construction date to be confirmed and communicated to stakeholders.



# How will Council assess proposals for new community gardens?

A wide range of matters need to be considered when developing and refining a proposal for a new community garden on Council owned or managed land. Expressions of Interest/Applications should respond to the *Council's Community Gardens on Council Owned Public Open Space Policy* and these Guidelines.

Council officers will consider these responses, the suitability of the site and other Council priorities, policies and strategies before giving in-principle support to a proposal.

If important issues or risks cannot be resolved the proposal may not be approved.





## - ASSESSMENT CRITERIA -

Appropriate location	
<b>Is the proposed community garden in Council owned public open space?</b>	<ul style="list-style-type: none"> <li>› Have alternative locations, including co-location with existing community facilities; or private land, been explored?</li> <li>› Is the area covered by an existing Master Plan, or subject to any restrictions (e.g. a floodplain overlay)?</li> <li>› Is the location supported by the Greater Dandenong Open Space Strategy 2020-2030? Community gardens should not be in Pocket Parks (parks less than 1000m<sup>2</sup>).</li> </ul>
<b>Impact on existing users and function</b>	<ul style="list-style-type: none"> <li>› How might the garden impact on existing and future users of the site?</li> <li>› Would use of the site still allow adequate public open space for the broader community?</li> <li>› Is the proposed site compatible with adjoining land uses and values (e.g. environmental and heritage)?</li> <li>› Does the location of the garden support the functional requirements of the park? Council preference is for community gardens to be located to the side or corner of a park to limit the impact on other recreational uses.</li> </ul>
<b>Size of community garden</b>	<ul style="list-style-type: none"> <li>› Is the size of the proposed community garden in proportion to the size of the park/public open space?</li> </ul> <p>Community gardens should occupy no more than 10% of the park up to a maximum of 400m<sup>2</sup> (whichever is the lesser).</p> <p>Larger community gardens may need space for compost bins/worm farms, path access, a shelter, storage shed and water tank(s); while smaller gardens may only require a few raised garden beds.</p>
<b>Site access</b>	<ul style="list-style-type: none"> <li>› Does the site allow access for construction vehicles?</li> <li>› Is adequate car parking available for users of the community garden?</li> <li>› How will people access the site in the future to undertake maintenance and deliver materials (e.g. mulch)?</li> </ul>
<b>Site history</b>	<ul style="list-style-type: none"> <li>› What has the site has been used for in the past?</li> </ul> <p>Potentially harmful chemicals can persist in the soil for many decades and can be taken up by plant roots. If any planting into the soil is proposed, testing for contamination will be required.</p>
<b>Orientation / topography</b>	<ul style="list-style-type: none"> <li>› Is the site flat or gently sloping?</li> <li>› Does the site receive sunlight for most of the day?</li> <li>› Are there established canopy trees in or around the area (risk of overshadowing, tree root zones will need protection)?</li> </ul>
<b>Access to water and power</b>	<ul style="list-style-type: none"> <li>› Is there access to water and power (if required)?</li> <li>› Is there potential to access rainwater from nearby buildings?</li> </ul>
<b>Public facilities</b>	<ul style="list-style-type: none"> <li>› Are there facilities nearby – public toilets, public transport, shared path?</li> </ul>
<b>Safety</b>	<ul style="list-style-type: none"> <li>› Is there ‘passive surveillance’ of the site or is it hidden from public view? How might this affect perceptions of safety and risk of vandalism/theft?</li> <li>› Is the proposal to fence and lock the garden or to keep access open to the broader community?</li> </ul> <p>Council preference is to avoid the use of fences. If necessary, fences should be no higher than waist height to create a welcoming community space and reduce costs to community garden organisations.</p>

## - ASSESSMENT CRITERIA -

### Community engagement and support

<b>Community demand</b>	<ul style="list-style-type: none"> <li>› Is there a demonstrated demand for a new community garden in the area?</li> <li>› Does the area have a significant number of properties with small yards and/or flats and apartments?</li> </ul>
<b>Community support for the garden</b>	<ul style="list-style-type: none"> <li>› Are local residents clearly supportive of the project?</li> <li>› Are a wide range of individuals and organisations being consulted and involved?</li> <li>› Are particular concerns being raised by individuals or groups, being addressed?</li> </ul>
<b>Accessibility and inclusion</b>	<ul style="list-style-type: none"> <li>› Does the proposal include individual plots, shared use plots or a combination?</li> <li>› How will the proposal seek to include a wide cross-section of the community?</li> <li>› Will the garden include raised garden beds?</li> </ul> <p>Council preference is for new community gardens to be open to the broader community and follow a collective model to increase social connections and a shared sense of purpose.</p>

### Governance

<b>Vision and commitment</b>	<ul style="list-style-type: none"> <li>› Does the community group making the proposal have enough members with relevant skills, experience and time to work together? Do they have a shared vision for the project?</li> <li>› Is the project seeking to deliver benefits for the broader community?</li> <li>› Is the project seeking to promote sustainable gardening practices?</li> </ul>
<b>Legal status and insurance</b>	<ul style="list-style-type: none"> <li>› Is the community group prepared to become an incorporated association or can a suitable auspice be found?</li> <li>› Is the community group prepared to sign an agreement with Council to ensure the establishment and ongoing operation of the garden can be covered under Council's public liability insurance?</li> <li>› Is the community group prepared to obtain their own contents insurance if equipment is to be stored on-site?</li> </ul> <p>In most cases either the community group or auspice would be required to enter into a legal agreement (lease or licence) with Council as the land manager.</p>
<b>Construction</b>	<ul style="list-style-type: none"> <li>› Does the group have sufficient funding and/or skills to ensure the construction of all infrastructure (e.g. fencing, shed, garden beds,) meet the relevant standards and specifications?</li> </ul>
<b>Storage</b>	<ul style="list-style-type: none"> <li>› Will equipment be stored on-site? How?</li> </ul> <p>Council does not support the use of shipping containers as storage sheds on Council land.</p>
<b>Maintenance</b>	<ul style="list-style-type: none"> <li>› Are there enough individuals prepared to work together to ensure ongoing care/maintenance of the garden over time?</li> <li>› What maintenance support/resources might be required from Council?</li> </ul>

## - ASSESSMENT CRITERIA -

### Permits

#### Planning and building permits

- › Does the use of the proposed site require a planning permit?
- › Does the construction of structures or any works or development require a planning and/or building permit?

Council can advise you about this and the required fees. These permits can take several months.

### Funding

#### Community funding and in-kind contributions

- › Does the group have access to sources of funding or in-kind contributions, such as qualified trades people?
- › How will the group generate funding for ongoing expenses?

In most cases community groups are required to be an incorporated association to be eligible to apply for government grants.

#### Return on investment

- › Will the community garden provide short and long-term community benefits to justify use of Council owned public open space land?

### Timing

#### Timeframe for approval

- › Is the community group prepared to collaborate and be flexible?

Given the time it will take to develop a proposal, obtain approval and construct the garden, is the community group prepared to maintain their commitment over the medium to long term?

The process to obtain permits and Council approval for a new community garden on Council owned public open space will take several months.





## FURTHER INFORMATION



Helpful information for community groups on working together and preparing a project proposal, can be found in the Community Gardens Manual prepared by Sustainable Gardening Australia (SGA) and the Helen McPherson Smith Trust.  
Visit: [sgaonline.org.au](http://sgaonline.org.au)

3000acres is a non-for-profit organisation which helps community groups to establish new community gardens.  
Visit: [3000acres.org](http://3000acres.org)

For legal and governance information visit: [consumer.vic.gov.au](http://consumer.vic.gov.au) and [justiceconnect.org.au](http://justiceconnect.org.au)

If you have any questions about community gardens in Greater Dandenong please contact Council on 8571 1000.

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