



WAVERLEY
COUNCIL

Public Gardening Policy

Policy owner	
Approved by	
Date approved	
Commencement date	
TRIM Reference	
Next revision date	
Relevant legislation/codes	
Related policies/procedures/guidelines	
Related forms	

Table of Contents

1. Background	4
2. Purpose.....	4
3. Scope	4
4. Policy Content	4
4.1 Council Responsibilities	
4.2 Policy Implementation and Guidelines	
4.3 WHS, Risk and Insurance	
4.4 Compliance	
4.5 Public Place Garden Controls	
5. Related Documents	8
6. Review of Policy	8
7. Definitions.....	8

1. Background

Community interest in all types of gardening in the public domain is steadily increasing - individual resident activities as well as group or neighbourhood projects. The challenges of living in high density environments, concerns about climate change adaptation and food security, streetscape aesthetics, neighbourhood amenity and social cohesion are all contributing factors. The recent Pandemic, local shocks and stresses and a sense of increasing global uncertainty have combined to fuel a resurgence of community gardens and interest in 'home grown' foods.

Recent work involving consultation across the LGA on 'Our Liveable Places' has also demonstrated strong community interest in increased planting and improved greenery such as planter boxes, community gardens, pocket parks, roof gardens/green walls and verge gardens.

Council supports public place gardening as a valuable activity that contributes to health and well-being, positive social interaction, community development, and environmental education, protection and enhancement of the environment. Specifically, the environmental benefits include increased urban biodiversity, reduced heat and air pollution (car exhaust fumes) and reduced stormwater runoff. Council is committed to ensuring that public place gardening contributes to and enhances sustainable and connected public spaces.

2. Purpose

This policy replaces Council's 2013 Public Place Gardening policy and aims to

- enable the community to continue to engage in public domain planting activities in the Waverley Local Government Area (LGA)
- ensure the public domain is safe and accessible for all
- balance the competing interests and activities taking place in the public domain (pedestrian movements, landscaping, recreation and vehicle access and parking)
- Facilitate public gardening activities in accordance with key strategies and plans

Implementation of this broader policy framework will be supported by a range of specific and more detailed strategies, plans, guidelines and checklists to ensure the diversity of public place gardens conforms to agreed objectives and outcomes.

3. Scope

This Policy will apply to planting activities in the public domain of Waverley Local Government Area (LGA). The following areas are excluded from this policy:

1. Bondi Beachfront Area
2. Bondi Junction Commercial Area
3. Local Village Centres
4. State Roads
5. Median strips and roundabouts.

4. Policy Content

4.1. Council Responsibilities

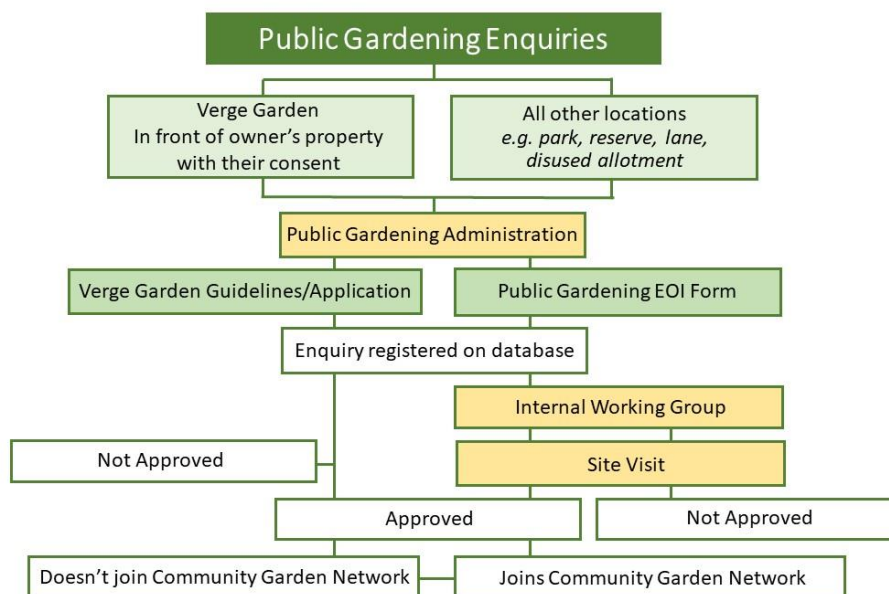
The public domain is a dynamic and fast changing environment. Individual or group planting activities in public spaces require careful management of often conflicting stakeholder interests and expectations. This Policy commits Council to:

- Support streamlined and efficient public gardening application, assessment and approval processes - where projects fall outside guidelines or are of a complex nature, an internal panel representing relevant technical expertise will assist decision making and follow up.
- Help residents identify appropriate sites for gardening activities.
- Assist interested individuals and groups to join existing sites or establish new sites.
- Promote and raise awareness through council's website, newsletters, publications, workshops and events.
- Provide information to the public about the operation of groups and activities.
- Provide information about potential grant funding opportunities for eligible groups.
- Host presentations and workshops on practical skills, including group management.
- Provide information about appropriate native plant species for Waverley.
- Connect local gardens and gardeners to each other to help build relationships and encourage the sharing of information, resources and experiences.
- Prioritise resourcing to projects with greatest community benefit.
- Periodically review guidelines or checklists in consultation with key stakeholders where gaps have been identified.
- Assist with site risk assessments, site safety briefings and garden audits

4.2 Policy Implementation and Guidelines

Public gardening can potentially take place across a range of settings and locations (verges, reserves, disused allotments, 'pocket parks', laneways), some more suitable than others. Council's Public Place Gardening Policy is supplemented by various guidelines detailing requirements for different types of public gardening activities, including specific criteria, application forms and checklists on establishment and ongoing use of public place garden types. These guidelines form the basis of public garden implementation and management in the Waverley LGA.

- Individual verge garden applications that comply with Council's guidelines with evidence provided as part of a completed checklist do not require an assessment process.
- Applications for other types of gardens with higher levels of complexity will be assessed and approved based on a set of criteria relating to the location, project viability, risk, suitability, and degree of community support provided.
- The complexity of the approval process will depend on the nature of the request, type and scope of project (individual or group) and expertise/resources needed to respond to the specifics of public gardening requests. This involves input from officers across Council departments, with approvals informed by key strategies, policies and plans (e.g. Open Space and Recreation Strategy; Our Liveable Spaces Strategy; Street Design Manual).



4.3 WHS, Risk and Insurance

Safety is a high priority of Council. Depending on the type of gardening activity, Council's induction, site risk assessment and risk management processes seek to ensure the safety of gardeners and their potential impact on other public domain users are well managed.

Council will take out public liability insurance to cover individuals and community groups in relation to gardens covered under this policy where approval has been granted and complies with the policy. However, this indemnity does not prevent a third party from making a claim against the owner.

Any business, commercial enterprise must have and keep current a minimum of \$20,000,000 public liability insurance.

4.4 Compliance

Waverley Council may revoke an approval and reserves the right to remove a garden where the public gardener or group or activity is not meeting the terms of this policy; related guidelines and conditions of approval. An example of this is no longer being able to keep up maintenance on the garden. Compliance will be assessed on a case by case basis. Gardeners will be advised in writing of the non-compliance, and given an opportunity to reinstate the garden to the approved standards.

4.5 Public Place Garden Controls

All public place gardening activities covered by this Policy must satisfy the following requirements to allow establishment and ongoing use.

ACCESS

Public place gardening sites must maintain community safety. Access to existing footpaths and walkways must be maintained. Refer to relevant guidelines for information about specific requirements for plants and planter boxes.

CONSULTATION

Gardening in public spaces preserves, enhances and creates green spaces that will benefit the greater community and requires community support to succeed in the long term. This policy requires consultation with and endorsement from neighbours or nearby property owners for new activities. The type of consultation required is outlined in relevant guidelines.

BIODIVERSITY PROTECTION

Waverley's pockets of remnant vegetation are protected under the Waverley Land Environment Plan 2012. Areas containing remnant vegetation or bushland are devoted entirely to conservation and habitat enhancement activities. The only public gardening type permissible in these areas is bushcare. See Waverley LEP 2012 Terrestrial Biodiversity Maps. These maps show the location of all remnant vegetation or bushland within the Waverley LGA. Land adjacent to remnant vegetation is protected through the Waverley Development Control Plan 2012 - Part B3 - Biodiversity.

HABITAT CORRIDORS

Linkages between our remnant vegetation, and identified habitat are known as habitat corridors. Habitat can be created by vegetation in all types of public gardening activities, but any new public gardening plantings within the Waverley identified habitat corridors must include a minimum of 50% local native species. This is a requirement of the Waverley Development Control Plan 2012 - Part B3 - Biodiversity which shows the locations of Waverley's habitat corridors.

TREE MANAGEMENT

The management of our urban trees must always be taken into consideration as the provision of shade for cooling our city is an important environmental benefit. Trees are vulnerable to root and soil disturbance. When tree roots are cut and soil hydrology is altered the impact on the health and appearance of a tree may not be visible for many months afterwards. All trees in Waverley including those in streets, parks and reserves are protected under the provisions of the Development Control Plan 2012, Part B5 - Vegetation Preservation.

PLANS OF MANAGEMENT

Council has Plans of Management (POM) for many parks and open space areas in the area. Public Place Gardening activities that occur in an area with an existing POM must be consistent with this Plan.

PUBLIC LAND MANAGEMENT Council manages public land located in the Waverley Local Government Area in accordance with relevant legislation and guidelines. Use of public land for 'gardening activities' is subject to Council approval. Council reserves the right to withdraw approval to individuals or groups to participate if terms of agreed use are breached. Use of public land for gardening activities does not assign or imply rights to individuals or organisations for use of the land other than the terms set out in user agreements or Site Action Plans, and specific operational guidelines.

PUBLIC GARDEN COMPOST FACILITIES

On-site composting facilities may be permissible where the size, and type of compost facility, location and ongoing maintenance have been approved by Council. Any facilities that are not maintained to the required standards may be removed or relocated at Council's discretion.

SOIL CONTAMINATION

A range of chemicals occur in urban soils, including trace elements and heavy metals. Their distribution and concentrations are largely unknown. Lead could occur in high levels alongside major roads due to our past use of lead based fuels. Other contaminants may also be present depending

on past uses. Lead does not readily move from soil through to the edible parts of the plant such as leaves and fruits.

- Non-edible and low maintenance plants are generally preferred such as local native species.
- If residents are concerned about lead and other contaminants, they should carry out soil testing to confirm levels or only garden with non-edible plants.
- Personal protective equipment should always be used.

WEED MANAGEMENT

All public gardens must manage and control noxious and environmental weeds. See Waverley Council Weed Management Policy 2012.

5. Related Documents

- Verge Garden Guidelines 2021
- Public Gardening Expression of Interest 2021
- Our Liveable Places Centres Strategy 2020
- Street Design Guidelines 2020
- Public Domain Technical Manual 2020
- Volunteering Policy
- Volunteering Handbook
- Tree Policy

6. Review of Policy

This Policy will be updated every three years.

7. Definitions

Public Place Gardening Types

Public Place Gardening in the Waverley Local Government Area (LGA) includes a range of ‘gardening’ activities carried out on public land. Public Place Gardening may be an individual activity, such as a single resident wanting to plant out the verge or request a street tree in front of their home. Public Place Gardening may also be carried out as a group activity working to an agreed plan. Examples of group Public Place Gardening include Waverley’s bushcare groups, working to conserve and rehabilitate remnant bushland, a shared garden where members come together to care for a small designate verge or pocket park, or a community garden dedicated to growing food plants.

Term	Definition
Community Garden	Community gardens are non-profit, community based gardens primarily growing food for members. They are usually multi-functional garden spaces that can provide demonstration sites for education of sustainable practices for gardening, food production and resource and waste efficiency, as well as other environmental, social and economic benefits.
Shared Garden	Shared gardens are groups formed within small 'pockets' of parkland or green spaces Council supports local neighbourhood groups with resources, educational workshops, access to funding, working bees, linking to the network of shared and community gardeners.
Verge Garden	Verge gardens are gardens on council land, generally on publicly visible areas of green within the streetscape. They are planted and maintained for native habitat, ornamental, food or other green infrastructure purposes.-Verge Gardens are small in size and mostly located on verges next to footpaths. In-ground gardens and planter boxes may be installed in some areas as long as they meet the requirements of specific guidelines including checklists and approval processes.
Laneway Garden	Laneways are a versatile street typology that offer access, storage? articulation and adaptability. Balancing the functional requirements of all users, laneways can offer a safe, inviting and inclusive environment for pedestrians and attractive public spaces through the inclusion of street furniture, temporary uses, verge planting, raised beds or wine barrels, public art and adequate lighting.
Cemetery Garden	Volunteer gardeners maintain commemoration sites increasing biodiversity corridors.
Bushcare	Bushcare groups maintain areas of remnant vegetation or bushland and create and maintain habitat. Volunteers work alongside trained bush regeneration supervisors and meet regularly.