

COMMUNITY GARDENS POLICY

2026-2030

Approval Body	Council
Endorsement Date of Current Version	18 August 2026
Current Version	Policy documents change from time to time, and it is recommended that you consult the electronic reference copy on the SharePoint to ensure that you have the current version.
Compulsory Review Cycle	4 years
Review Date	18 August 2030 It is recognised that from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of the approval body.
Responsible Department	Active Communities
Responsible Team	Community Facilities Management
Relevant Legislation	Local Government Act 2020 Planning and Environment Act (1987) City of Casey Community Local Law (2018) Casey Planning Scheme Occupational Health and Safety Act 2004 Child Wellbeing and Safety Act 2005 Working with Children Act 2005
Relevant Council Documents	Council Plan 2025-2029 Casey Council Long Term Community Vision 2025-2035

	Community Facilities Planning Framework 2019 Climate Action Plan 2022- 2030 Asset Plan 2025-2035 Open Space Strategy 2023
ECM ID	15249310

1. Purpose and intent

The Community Gardens Policy outlines how the City of Casey supports and encourages community gardening. It defines the roles and responsibilities of everyone involved in starting and maintaining a garden and ensures fair access. The policy is supported by Community Garden Guidelines, which offer practical advice on what to consider when choosing a site, how to apply, and where to find helpful resources.

Community gardens are shared spaces where residents come together to grow fresh food, connect with others, learn new skills, and enjoy the outdoors. They are open to the general community.

These gardens can be made up of individual plots or larger shared areas where the harvest is distributed among participants. Most are run by volunteers and rely on the dedication of residents. Importantly, community gardens are flexible and responsive. They may change or evolve over time depending on the needs and priorities of the community.

2. Why community gardens matter

Community gardens:

- Promote healthy living and access to fresh produce.
- Encourage sustainability and environmental awareness.
- Foster community connections and wellbeing.
- Provide opportunities for learning and volunteering.

3. Scope

This policy applies to community groups and organisations, residents and developers who wish to establish, or already have established, a community garden on Council-owned, proposed Council-owned, or Council-managed land.

This policy does not apply to the community gardens that are Council-operated and managed. Nor does it apply to community gardens established on Crown land, Department of Education land, or private land, except where the Council has entered into an agreement with the owners to manage the property (land and/or building).

4. Definitions

Key term	Definition
Council	Means Casey City Council, being a body corporate constituted as a municipal Council under the Local Government Act 2020.
Councillors	Has the same meaning as in the Local Government Act 2020.
Council officer	Means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.
Community gardens	Means places where people come together to garden collectively, grow food and build community. Community gardens take many forms and can include orchards, market

	gardens, and forest gardens. A raised garden bed can qualify as a community garden if it is in public open space and can be used by community gardeners.
Council-owned land	Means land that is currently owned by the Council.
Proposed Council owned land	Means a parcel of land which is intended for transfer to Council ownership (in particular, land that is part of a new estate or development which will be handed over to Council when development is complete).
Council-managed land	Means a parcel of land which is owned by another party, with an agreement/lease in place for Council to manage the land on behalf of the landowner
Occupancy Agreements	Formal agreement between Council and an incorporated community organisation granting permission to use Council-owned or managed land for a community garden, subject to specific terms and conditions.
Developers	Individuals or entities responsible for the planning, construction, and delivery of residential or commercial developments, including associated public open spaces.
Incorporated community group	Means a not-for-profit organisation that has been formally registered as a legal entity, separate from its individual members.

5. Policy

The City of Casey is committed to well-run, sustainable, accessible and inclusive community gardens that are safe for the public and for the environment and close to other community facilities.

The Council is not responsible for the maintenance or management of community gardens and associated assets run by community groups and developers.

5.1. Council's role

Council's role is to:

- Promote community gardening to build social connection.
- Assess project proposals and site suitability.
- Use co-design methods for concept design.
- Consult with local residents and site users.
- Submit planning permits and funding bids as required.
- Negotiate occupancy agreements with incorporated community organisations.
- Provide support through grants, training, and information.
- Ensure positive public and environmental impact.
- Fund and construct the garden (asset remains Council property).
- Monitor compliance with this policy.
- Maintain infrastructure (not the garden itself).

5.2. What community groups are responsible for

Community garden groups managing a community garden on Council land will need to:

- Be incorporated.
- Keep the garden clean, safe, and well-maintained.
- Ensure safety for all users.
- Build positive relationships with neighbours and users.
- Use sustainable gardening practices.
- Comply with occupancy agreement terms.
- Cover maintenance, insurance, and utilities costs.
- Implement child-safe practices if children access the site.
- Demonstrate that the garden operating procedures are inclusive for all community to participate subject to capacity.

5.3. Application and approval process for a community managed Community Garden

Community groups seeking to establish a community garden on Council owned or Council managed land which follows the process below:

- **Read the Community Gardens Guidelines**
- **Initiate Proposal**
Contact Council to express interest. Groups may propose a site or request Council assistance to identify suitable locations.
- **Site Discussion**
Council officers assess potential sites and discuss feasibility with the group.
- **Demonstrate Support**
Provide evidence of local community support and the group's capacity to sustain the garden.
- **Submit Proposal**
Complete and submit the formal proposal template.
- **Concept Development**
If supported in principle, Council works with the group to prepare an initial concept design.
- **Community Consultation**
Council undertakes consultation with nearby residents and users of the proposed site.
- **Design Refinement & Budgeting**
Where there is broad support, Council refines the design with the group and prepares cost estimates. Council will seek funding through its annual budget process; groups may also seek external funding.
- **Outcome Notification**
Council advises the group of the outcome.
- **Formal Agreements & Construction**
The group incorporates to enter into a lease or license agreement.
Council funds and builds the garden; the community group maintains it.
- **Garden Closure**
If the group ceases maintenance and no alternative group can be found; Council may remove the garden and return the site to open space.

If a community garden is proposed to be located on a site, which is managed by a community committee (e.g. a Neighbourhood House or Community Learning Centre) through a lease agreement, the proposal can only proceed to Council if it has the written consent of the committee of management for the establishment and operation of a community garden within

that site. Any works or alterations to the premises would require Council consent as per the terms of the occupancy agreement.

5.4. Application and approval process for Developers

Developers who wish to establish a new community garden in public open space within their developments must:

Submit a project proposal inclusive of Detailed Design Plans for approval to Council - Landscape Planning landscapesubdivision@casey.vic.gov.au that aligns with the Community Gardens in New Estates Model inclusive of but not limited to:

- Where it is proposed to be located, including proximity to toilets., and whether it will be a temporary or permanent site.
- How it will be accessible, functional (water supply, tool storage, composting, waste management, gathering or seating options, lighting, garden bed typology) and safe.
- How residents will be involved in the planning and design of the garden.
- How an ongoing sense of community ownership of the garden will be fostered including systems, signage, events, or activities.
- How the Developer will support an incorporated community garden to establish, obtain insurance, develop rules of conduct and set up a committee of management to manage the site in the long term.

If the proposal is supported, the developer will be required to enter into an Occupancy Agreement with the Council detailing the above and identifying the timeframe for the garden.

If efforts to support the group to incorporate are unsuccessful within the agreed timeframe, developers will have the option of extending the occupancy agreement or returning the garden to an approved public space design through Councils Landscape Planning process.

The Developer will pay a bond to Council after final planning approval has been given and before the garden is built. This bond is required in case the garden is closed within two years of the land coming into Council ownership and needs to be returned to its original state. The amount of the bond to be paid and the date for when it will be returned will be negotiated as part of the Occupancy Agreement.

5.5. Relocation or closure of a community garden

The Council is not responsible for maintaining community gardens and reserves the right to terminate the agreed use of the land if a community garden is on Council owned, proposed Council owned, or Council managed land. Reasons to terminate the agreement include:

- The community group does not comply with the terms of the occupancy agreement.
- The community group ceases to be incorporated and insured.
- The garden is not adequately maintained.
- The garden is unsafe or unsightly.
- Community priorities have changed and there is no longer active community support for the garden.

Both the community garden group and Council have the right to terminate the occupancy agreement if the group ceases to function or is no longer auspiced by an incorporated organisation.

If the community garden has been built by the developer as part of a new development, and the garden is closed within two years, the developer will need to pay for the garden to be removed and for the land to be returned to public space.

6. Responsibilities

Who	What
Active Communities	Respond to community garden requests from community groups and oversee the approval process. Support new and existing community groups via grants and Council contacts. Monitor policy implementation and ensure alignment with Council priorities.
Growth and Investment	Liaise with Developers to develop design, occupancy agreements and monitor compliance. Facilitate collection and return of developer bonds as needed.
City Design and Construction	Provide input into appropriate site selection. Co-design of the garden with the community group and relevant internal stakeholders. Engage the contractors to construct the community garden.
Governance	Ensure legal and procedural compliance, maintain documentation, and support policy review cycles.
Recreation and Open Space	If a community garden is proposed to be located on a council managed sporting reserve, public open space or park: • Meeting with community group to discuss garden location and design. • Provide input into appropriate site selection. • Facilitate the internal approval process for the proposed site selection and design. • Applying for council funding to construct the proposed community garden through Council's annual budget process.
Infrastructure and Open Space	Provide input into appropriate site selection. Provide input into design of proposed community gardens including materials utilised. Provide advice to community garden groups regarding ongoing maintenance of the garden.
Sustainability and Waste	Provide advice to groups, run workshops and offer guidance on soil contamination. Support environmentally sustainable practices and integration with Council's Climate Action Plan.

7. Policy Breaches

Where a community garden group does not meet the requirements of this Policy or its occupancy agreement, the City of Casey will work with the group to support compliance and address issues in a timely and proportionate way.

The response to a breach will consider the nature, severity, and risk associated with the issue, with immediate action taken where public safety, legal, or insurance requirements are not met.

Type of Breach	Consequence
Non-compliance with the terms of the occupancy agreement.	Written notification identifying issues, followed by potential termination of agreement.
Failure to maintain garden to acceptable standards	Notice to improve within a specified timeframe; if unresolved, termination of agreement.
Unsafe conditions	Immediate suspension of garden activities until rectified.
Lack of insurance coverage	Immediate suspension of garden activities until rectified.
Ceasing to function as an incorporated organisation	Termination of agreement and potential relocation or closure of the garden.

8. Relevant Forms

Title	Link
Community Garden Project Proposal Template	https://www.casey.vic.gov.au/community-gardens
Community Garden Guidelines	https://www.casey.vic.gov.au/policies-strategies/community-gardens-policy

9. Document History

Date approved	Change Type	Version	Next Review Date
17 October 2017	Document Initiation	1.0	17 October 2021
20 April 2021	Administrative change, reclassified to ELT endorsed and transferred to new template	1.1	30 June 2025
18 August 2026	Reclassified to Council endorsed	1.2	18 August 2030

Contact the City of Casey:

Web: casey.vic.gov.au
Email: caseycc@casey.vic.gov.au
Phone: 03 9705 5200
Post: PO Box 1000, Narre Warren VIC 3805
NRS: 133 677 (for the deaf, hearing or speech impaired)

Customer Service Centres:

Narre Warren: Bunjil Place, Patrick Northeast Drive
Cranbourne: Cranbourne Park Shopping Centre
ABN: 43 320 295 742



TIS: 131450 (Translating and Interpreting Service) المترجم الفوري 翻译 مترجم شفاهى ਦੁਆਰਾ ਸੇਵਾ ਦਿੱਤੀ ਜਾਂਦੀ ਹੈ

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