



WAVERLEY
COUNCIL

Public Gardening Policy

Policy owner	Annette Trubenbach
Approved by	Council
Date approved	3 May 2022
Commencement date	June 2022
TRIM Reference	A13/0054
Next revision date	May 2025
Related policies/procedures/guidelines	<p>Verge Garden Guidelines 2021</p> <p>Environmental Action Plan 2018-2030</p> <p>Weed Management Policy 2012</p> <p>Tree Management Policy 2019</p> <p>Our Liveable Places Centres Strategy 2020</p> <p>Street Design Guidelines 2020</p> <p>Public Domain Technical Manual 2020</p> <p>Local Strategic Planning Statement</p> <p>Sustainable Communities Strategy 2021</p>
Related forms	Public Gardening Expression of Interest Form 2021

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 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, including individual resident activities as well as group or neighbourhood projects is steadily increasing. The COVID-19 Pandemic, concerns about climate change and food security, and an increasing appreciation for streetscape aesthetics, neighbourhood amenity and social cohesion have led to a resurgence of community gardens and interests in 'home grown' foods.

Community consultation across the Waverley Local Government Area (LGA) on 'Our Liveable Places' has also demonstrated strong support for increased planting and improved greenery such as planter boxes, community gardens, pocket parks, laneways, roof gardens, green walls and verge gardens.

Council supports public gardening as a valuable activity that contributes to health and well-being, positive social interaction, community development, and environmental education, protection and enhancement. Specific environmental benefits include increased urban biodiversity, reduced heat, improved air quality 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 gardening activities in the 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 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 the LGA. State roads, median strips and roundabouts are excluded from this policy, as are Village Centres. To identify where these 'Centres' are in Waverley, refer to the map on Discover:

<https://discover.waverley.nsw.gov.au/connect/analyst/mobile/#/main?mapcfg=%2FAnalyst%2FNamedProjects%2FPlanning>

4. Policy Content

4.1. Council Responsibilities

The public domain is a dynamic and fast changing environment. Individual or group gardening 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 approval.
- 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.
- Host presentations and workshops to develop skills and capacity.
- Provide information about appropriate native plant species for Waverley.
- Provide information to the public about the operation of groups and activities.
- 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.
- Provide feedback and advice where appropriate and resources permit.

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), with some more suitable than others. Council's Public 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.

In relation to approvals for public gardening:

- Individual verge garden applications that comply with Council's guidelines with evidence provided as part of a completed induction checklist do not require an on-site 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.
- 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).

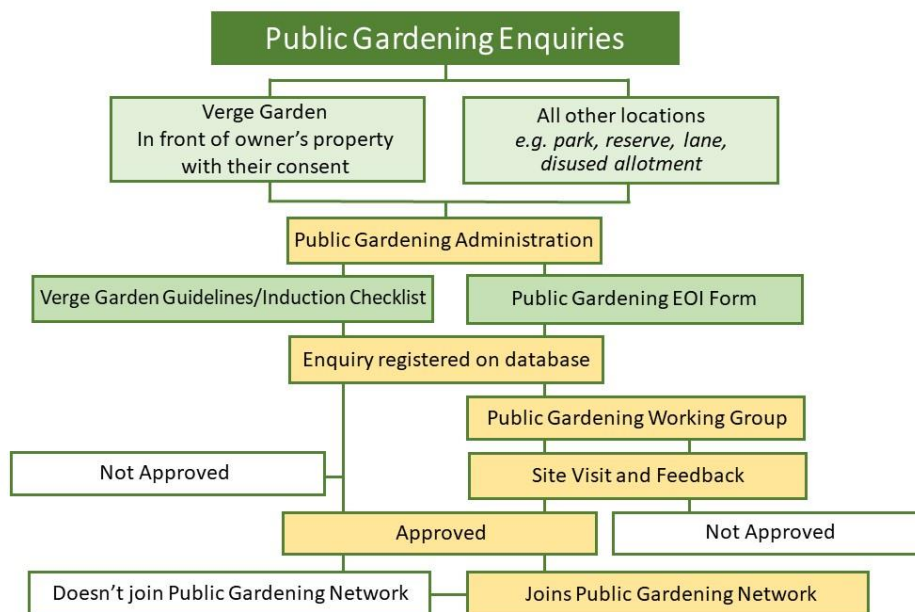


Figure 1. Public Gardening Approvals Process

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. Additional information relating to specific garden types, including any insurance requirements and implications, are included in the applicable guidelines. Any business or commercial enterprise that is granted approval under the Public Gardening Policy must take out and keep current applicable public liability insurance of not less than \$20,000,000.

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. This may be the case, for example, if the public gardener or group can no longer maintain 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 Gardening Controls

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

a) Access

Public gardening sites must ensure 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.

b) 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.

c) 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.

d) 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.

e) 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.

f) Plans of Management

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

g) Public Land Management

Council manages public land located in the LGA 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.

h) Public Garden Compost Facilities

On-site composting facilities may be permissible in limited circumstances when connected to an approved public garden, 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.

i) 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 when gardening in public places.

j) Weed Management

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

5. Related Documents

- Verge Garden Guidelines 2021
- Public Gardening Expression of Interest Form 2021
- Environmental Action Plan 2018-2030
- Weed Management Policy 2012
- Tree Management Policy 2019
- Our Liveable Places Centres Strategy 2020
- Street Design Guidelines 2020
- Public Domain Technical Manual 2020
- Local Strategic Planning Statement
- Sustainable Communities Strategy 2021

6. Review of Policy

This Policy will be updated every three years.

7. Definitions

Public Gardening Types

Public Gardening in the Waverley Local Government Area includes a range of ‘gardening’ activities carried out on public land. Public 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 Gardening may also be carried out as a group activity working to an agreed plan. Examples of group Public 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, either between the footpath and a private property boundary or between the footpath and the kerb. Garden beds and planter boxes may be installed in some areas as long as they meet the requirements of specific guidelines including induction checklists and approval processes.
Laneway Garden	Laneways are a versatile street typology that offer access, 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.
Exclusion Zone	An exclusion zone (referenced in section 3 – Scope of this policy) is a State Road, median strip and roundabout, along with Village Centres, and is not part of this Policy.