

Ashburton Community Garden Inc. **PLAN OF MANAGEMENT**



Ashburton Community Garden Inc. is an incorporated entity under the Associations Incorporation Reform Act 2012. Certificate of Incorporation No. A0053581N dated 18 September 2009 has been issued by Consumer Affairs Victoria.

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1. Vision and Objectives

1.1 Ashburton Community Garden Vision

The Ashburton Community Garden (the Garden) is an inclusive and friendly community space that is committed to the principles of sustainability in the growing and sharing of food.

1.2 Objectives of the Ashburton Community Garden

- a) To maintain a community garden in Ashburton.
- b) To improve food security and promote healthy eating by providing opportunities for locals to grow fresh, nutritious produce and share supplementary harvest.
- c) To enhance the use of green space in Ashburton by providing a beautiful and peaceful meeting place.
- d) To increase community connection and reduce social isolation by creating an open and welcoming community garden for individuals of all ages and backgrounds.
- e) To strengthen local neighbourhood dynamics by collaborating with community partners.
- f) To reduce our environmental impact by employing ecological gardening principles, avoiding synthetic or harmful chemical inputs, conserving water and providing composting facilities for food waste diversion and soil enrichment.
- g) To encourage local biodiversity and provide a space for the community to connect with nature and the rhythms of the seasons.
- h) To increase the number of locals engaged in and informed about sustainable food growing through practical skill workshops and knowledge sharing.
- i) To provide a safe space for people of all ages to learn about food gardening.
- j) To ensure longevity of the gardening community by using sustainable management practices which are open, participatory, and non-judgemental.

2. Management of site

2.1 Managing waste on site - organic and non-organic waste

Most organic waste can be included in the garden compost (refer to section 2.2 for more details). A general rubbish bin is provided and members are expected to dispose of their non-compostable waste in this bin.

Where possible, individual plot holders should dispose of cuttings from their plot in their own onsite compost bins.

General garden waste, weeds in particular, can be placed in green waste bins located near the shed.

Members will need to take turns to wheel bins to the road for collection every week. A quarterly green waste bin roster will be emailed to all members by the Membership Secretary and will also be posted on the shed notice board.

2.2 Composting

We attempt to maintain our composting systems in a healthy condition so they do not attract vermin or produce unpleasant odours. Members are expected to follow advice displayed regarding the availability of compost for use. The Committee is responsible for deciding how the compost is managed and communicating this to other members.

2.3 Gardening practices

Members aspire to follow the principles of organic gardening and recognise this as a principle of membership. We define organic gardening as:

- a) Using Integrated Pest Management principles i.e. natural, environmental and biological controls are the preferred methods used. A list will be posted by the Committee in the garden shed of acceptable products which meet these criteria. As an exception, rat bait or traps can be used on site to deal with rat infestation. These must be used with caution and managed by a Member authorised by the Committee. Any rat management should make use of first generation baits i.e. warfarin and include daily checks to remove any dead or dying rats in order to reduce the risk of secondary poisoning to wildlife or pets.
- b) Avoiding the use of synthetic chemical fertilisers, fungicides, pesticides and herbicides including glyphosate (Round-Up) and similar products.
- c) Building healthy soil to reduce pest and diseases, use of organic practices such as crop rotation, companion planting, mulching, etc.

Toxic plants and weeds

Companion plants should be chosen to avoid poisonous species which may be eaten by mistake. Gardeners should not knowingly introduce weedy, prohibited or diseased plants to the Garden. These include ivy, blackberry, wild fennel, oxalis and horseradish and others. If in doubt, please consult with the horticultural coordinator.

2.4 Water management

We take care to conserve water resources and minimise water use.

- a) Recycled water (purple taps and hoses) should be available for use on plots as an alternative to potable (ordinary tap water).
- b) Garden hoses are always to be turned off at the tap following use and stored correctly in the Garden shed.
- c) Fittings are not to be removed from hoses and taps.
- d) Members are required to adhere to Victorian water restrictions.

2.5 Garden tools and storage

- a) The Garden will maintain a set of communal garden tools for shared use.
- b) Members will be allocated a small storage space for private tools i.e. secateurs, trowels and gardening gloves. Large private tools such as spades and wheelbarrows will not be stored on site.
- c) Bags of fertilisers or manures or other soil enrichers cannot be stored in the shed.
- d) Members using gardening equipment must operate such equipment with due care for the safety of other members, the public and the Garden itself.
- e) All communal gardening tools and equipment should be returned to the shed clean and in good condition at the end of the gardening activities.
- f) It is the responsibility of all members to ensure that the shed is locked when not in use.
- g) Communal tools and equipment are the property of the Ashburton Community Garden Inc. and must not be removed from the site.
- h) Members will be provided with a code to unlock the padlocks on the community garden gate and the shed.

2.6 Site safety

- a) All members are responsible for safety.
- b) A first aid kit is available in the shed. If anything is removed from the first aid kit, this should be documented in the shed notebook.
- c) A guide to Occupational Health and Safety in the garden is available for Members.
- d) An induction guide will be provided to new members.
- e) The Committee will be responsible for communicating safety issues and promoting safe gardening practices to members. Safety issues will be emailed to all members and posted on the noticeboard in the shed.
- f) All members must undertake an induction that provides information on risks and safety in the Garden.
- g) Gardeners working alone should only undertake gardening tasks appropriate to their abilities.

- h) All activities in the Garden must be conducted in a safe manner and in daylight hours.
- i) All tools and equipment must be stored in the storage shed after use.
- j) Any accidents (including near misses) on site must be recorded in the accident register located in the shed. All accidents, near misses and OHS risks should also be reported to the Committee.

2.7 Membership, allocation and tenure of plots, and the waiting list

2.7.1 Plot Holder Member

Plot Holder Members are required to contribute to the maintenance of the whole Garden and should attend at least one working bee per year.

Ten plots are available for residents of commission housing, residents having particular disadvantage or Community Groups delivering programs for disadvantaged groups. Users of these plots should be registered as a Plot Holder Member. A contact person must be identified for the Community Group. A Community Group has a single vote at the AGM.

2.7.2 Membership eligibility

- a) Membership is open to all residents of the City of Boroondara, 18 years and older and to incorporated Community Groups active in Boroondara.
- b) Plots may be offered to non-residents if there are no Boroondara residents on the waiting list, and a genuine effort has been made to advertise plot availability to the Boroondara community.
- c) If a Plot Holder Member relocates outside of the City of Boroondara, their plot should be surrendered within 12 months.
- d) A maximum of one plot is available per household. See section on households below.

2.7.3 Plot allocation

- e) Allocation and reallocation of Garden plots will be made by the Committee. Except as provided for in the case of a Plot Holder member who is part of a household, no Plot Holder Member can transfer their plot to another person or member.
- f) A household is a family or other group of people living at the same address. Only one plot may be allocated to a household and so only one person in the household may be a Plot Holder Member.
- g) Where the Plot Holder Member ceases for whatever reason to be a member of the Garden, then the plot may be allocated to another person in the same household, providing the Plot Allocation Officer is notified of this change. The person to whom a plot is allocated in this way becomes the Plot Holder Member.
- h) Consistent with the objectives of ACG, when plots become available and there is no waiting list, the committee and members will exhaust all reasonable opportunities to attract new members from within Boroondara. This will include seeking support from the City of Boroondara to support this promotion through Council's channels.
- i) Where there is no waiting list and therefore an excess of plots, Members may apply for a second plot. All Members should be notified of the surplus plot and given the chance to apply for the plot. If a number of plot holders are interested in a second plot, then a ballot will be held to allocate the plot.
- j) The plot can be leased on a season to season basis. When the waiting list establishes, a Member with two plots will need to relinquish their extra plot on the completion of the growing season. The process for relinquishing plots will be done by either voluntary relinquishment or by ballot.
- k) If the ten plots set aside for residents of community housing, disadvantaged residents or a Community Group are not fully utilised, they may be allocated on a seasonal basis to a person on the waiting list at the discretion of the committee. Or, if there is no waiting list, to a Member on a season to season basis.
- l) Where an existing plot holder has multiple plots at the time of the 2021 AGM, they will be asked relinquish any extra plots into the pool of plots at this time.

2.7.4 Waiting List

Once all plots have been allocated, a waiting list is created and managed as follows:

- a) People who meet the eligibility criteria for membership may apply to be included on the waiting list with names recorded in order of receipt.
- b) The waiting list is refreshed annually: all people or incorporated Community Groups on the waiting list are emailed and asked to confirm their continued interest by reply email. Anyone who does not respond to this email within four weeks will be removed from the waiting list.
- c) If a plot is offered to a person on the waiting list and they are not immediately (within three weeks) able to accept the plot, the individual may choose to defer the offer of a plot. The plot will then be allocated to the next person down the list, but the deferrer will remain at the top of the list to be offered the next available plot. Deferment period is at the discretion of committee.

2.7.5. Leave of absence

- a) **Short term absence (three months or less):** If, through illness or other short-term difficulties, a member is unable to attend to their plot, the Committee is to be advised so that temporary advice or assistance can be provided.
- b) **Longer term absences:** Longer term absences will be considered at the discretion of the Committee.

2.8 Plot management

- a) New plot holders are expected to have their plot in order within three weeks of the plot being allocated.
- b) Plots must be kept in good order, reasonably free of weeds and with a crop or cover crop planted.
- c) Plot Holder Members are responsible for weeding the paths and areas surrounding their plot and around their compost bins.
- d) Large permanent shrubs or trees are not permitted in plots.
- e) Plot holders must be considerate of their neighbouring plots and not erect structures or grow plants that will cast shade on a neighbouring plot. Vertical planting (growing vines on a structure) should be done in such a way that the shadows fall mainly on your own plot or a pathway. Any trellis structure must be securely embedded in the ground.
- f) Plants should not encroach into neighbours plots.
- g) Members who do not wish to continually cultivate their plots are requested to cover them with mulch or grow a suitable 'green manure' crop to assist in the elimination or reduction in weed growth. Members are expected to cultivate their plots for the greater part of the year but members may wish to take some limited seasonal breaks.
- h) The use of carpet or underlay as mulch is banned due to the back not rotting quickly. The use of natural mulch is preferred.
- i) All waste should be removed from plots and composted or taken home for recycling or other disposal.
- j) Unless the Committee determines, plot enclosures should not be installed around plots. However the Committee may allow some limited enclosures. This includes timber edging and dividers. Members should approach the committee with requests and the committee will seek to apply a consistent approach to approval of limited enclosures.
- k) Plot holder Members are expected to contribute to the maintenance of the communal areas of the Garden by participating in at least one working bee per year, as required as a condition of Plot Holder Membership. The committee will attempt to schedule working bees at varied times throughout the year so as to provide a range of opportunities for members to attend. However if a member is still unable to attend, they may propose to the committee the undertaking of an alternative task or role which will make an equal or greater contribution to the garden. Attendance at a working bee remains the preferred option as it will help to build connections between members.
- l) When a person or Community Group ceases to be a Plot Holder Member for whatever reason, plants they have planted in plots must be removed promptly and in any event within 14 days. If not removed, and reasonable efforts to contact the ceasing plot holder or their representative fail, they (and resulting produce) will be treated as abandoned and may be retained by the new plot holder member or removed and composted or destroyed as the Committee sees fit.

2.8.1. Protocol regarding unkempt plots

A plot can be resumed in the situation where the Committee is of the view that the plot is not being properly maintained. Resumption of a plot is considered to be the final action, and before this step is taken by the Committee, the process of dealing with unkempt plots, or other deliberate contravention of the By-Laws, the following process is to be followed:

- a) A member of the Committee shall issue a letter or email advising the plot holder Member that the plot is not being maintained in an acceptable manner and asking that the plot be brought into order within a three (3) week period from the date of the letter.
- b) If, after the expiration of the above period, a further inspection reveals that the plot is still not in good order, a further letter is to be sent to the plot holder giving a further two (2) week period to rectify issues that should be specifically stated in this second letter. This letter shall also refer to the possible resumption of the plot at the end of this notice period in the absence of extenuating reasons for non-compliance.
- c) A further inspection shall take place after the expiration of the notice period in the second letter. If the member of the Committee reviewing the plot's maintenance is of the view that the plot should be resumed, that member of the Committee shall seek the view of two other Committee members. If a majority of the three Committee members agree, the plot holder will be informed by letter, signed by either the President or Secretary that the plot has been resumed.
- d) If a plot holder complies with the Committee's request to restore their plot to an acceptable level, but the plot is found to be in an unacceptable condition in the following year, the plot holder will be issued with one further letter giving one week to make good the plot, and if this is not done, the plot shall be resumed.

2.9 Management of shared areas

- a) Any gardening activities undertaken in the communal areas of the Garden should be done in consultation with the Committee. This includes activities at Garden workshops, working bees, events and other ad hoc activities.
- b) Members are encouraged to share surplus food from their plots with other Members of the Garden and the community and agree to share fairly the produce from communal areas.
- c) Members must not take produce from other people's plot unless authorised to do so.

3. Management structure

The management structure includes a Committee and associated roles or subcommittees that the Committee may establish to support the effective operation of the Garden. Members of the Committee must include the President, Vice President, Secretary, Treasurer, Plot Allocation Officer and Maintenance Officer, and may include up to two general Committee Members.

The Committee is responsible for managing the business of the garden and may exercise all powers of the Garden not reserved to the members as set out in the Rules or the Associations Incorporation Reform Act 2012.

For further information on the election and roles of the Committee of Management, please refer Rules of Association for the Garden (these Rules are adapted from the Victorian Consumer Affairs 'Model Rules' for Incorporated Associations).

As provided for in the Rules, sub-committees may be formed as needed by the Committee and will report to and make recommendations to the Committee. A representative of a sub-committee may be invited to attend meetings of the Committee but will not have Committee voting rights unless the representative is also a member of the Committee and entitled to vote at the Committee meeting.

3.1 Roles in the community garden

ROLE	FUNCTIONS	WHO?
President	In accordance with the Rules, Chair general and Committee meetings (has deciding vote when needed)	Elected member
Vice President	In accordance with the Rules, Chair general and Committee meetings (has deciding vote when needed)	Elected member
Secretary	Must perform any duty to be performed by the secretary of an incorporated association (lodging documents etc). Look after the Association's paperwork. Provide access to minutes, register of members etc. to other members on request.	Elected member
Treasurer	Receive monies and issue receipts if needed. Pay all monies into the bank account within 5 days. Make payments authorised by the Committee. Ensure that financial records are kept. Co-ordinate preparation of the annual financial statements. Ensure that at least one other committee member has access to the accounts and financial records.	Elected member
Plot Allocation Officer	To be the first point of contact for residents or community groups interested in a garden plot. To provide prospective members with the membership information and form. To inform the committee about prospective members. To maintain a list of all current plot holders. To maintain a waiting list. To provide new members with an induction to the garden.	Elected member
Maintenance Coordinator	To be the contact point for members on maintenance issues and problems. To organise maintenance problems in the ACG to be repaired/fixed as required.	Elected member

Other general committee positions that may be filled by elected members and could include:

- i. Horticulture/Sustainability/Composting
- ii. Communications/marketing
- iii. Workshops/education/events
- iv. Grants and fundraising
- v. Risk management/OH&S

(See also section 3 – Management Structure)

3.2 Code of conduct – gardeners' agreement

The following Code of Conduct applies to all Members.

Without limiting rights of members in the Rules, as a Member you have the right to:

- a) Be kept informed about all activities and events organised for the Garden community.
- b) Have your personal details managed in accordance with the Rules and Privacy procedures established by the Committee.

- c) Participate on the Committee or as a sub-committee member if elected or appointed as relevant.
- d) Feel safe within the Garden and be treated with respect by all Garden members.
- e) Participate with other Garden members in the equitable distribution of the communal Garden produce.
- f) Undertake and accept tasks within your ability.
- g) Have access to Garden events before bookings are available to non-members (e.g. for Garden workshops).

As a Member you are asked to:

- a) Always act in the best interests of the Garden and all Members in maintaining the appearance and integrity of the Garden.
- b) Adhere to the operating procedures and policies of the Garden and the requirements of the Rules.
- c) Pay your membership fee in a timely manner as it falls due.
- d) Help to ensure that the Garden is maintained in a neat and orderly fashion providing an attractive, appealing and creative environment, including by attending working bees.
- e) Assist in implementing the Code of Conduct by politely reminding others of its contents, if necessary.
- f) Provide your personal details to the Plot Allocation Officer as requested on your membership application and not use personal information of any other member except as permitted by law. (See 8.3)
- g) Read Garden notices and any communications to Members so as to be aware of Garden activities and events.
- h) Act in a spirit of cooperation and sharing with others in the Garden, both Members and non-members.
- i) Be reasonable and respectful in your manner towards others in the Garden.
- j) Act in a manner that ensures your safety and the safety of others in the Garden.
- k) Apply to the Committee to have grievances resolved in accordance with the Garden's Dispute Resolution policies.(See 3.4)
- l) Ensure that you understand safe manual handling techniques for the materials and tools that you use within the garden.

3.3 Committee Code of conduct

- a) All members of the Committee have a right to be listened to in a respectful manner.
- b) All members of the Committee have a right to be spoken to in a respectful manner.
- c) All Committee meetings are minuted and minutes are available to all Members on request.
- d) Agendas from Committee meetings are issued seven days before the meeting date together with the minutes of the previous meeting.
- e) Contributions to Agenda items must be submitted to the Secretary in a timely manner or be dealt with under 'Other Business'.
- f) The Agenda should include a report on the waiting list and new membership applications for consideration.
- g) Committee meetings start and finish on time in accordance with the agenda.
- h) Meetings must have a Chairperson in accordance with the Rules.
- i) In the event of a tied vote, the Chairperson will have the deciding vote.
- j) Unresolved matters that have not been voted upon may be deferred to a future meeting.
- k) Items requiring follow-on action after Committee meetings will be allocated to a specific person(s) and noted in the minutes.
- l) Each Member of the Committee has one vote.
- m) Meetings of the Committee occur quarterly or more often as required.

3.4 Meeting conduct

Voting at meetings should reflect one vote per household.

Proxy votes may only be used if the Member is unable to attend the Annual General Meeting.

Extract from the *Victorian Consumer Affairs 'Model Rules' for Incorporated Associations*

34 Proxies

- (1) A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.

- (2) The appointment of a proxy must be in writing and signed by the member making the appointment.
- (3) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.
- (4) The Committee has approved a form for the appointment of a proxy, the member may use this form to nominate a proxy. The form will be circulated with the notice of the AGM.
- (5) Notice of a general meeting given to a member under rule 33 must—
 - (a) state that the member may appoint another member as a proxy for the meeting; and
 - (b) include a copy of any form that the Committee has approved for the appointment of a proxy.
- (6) A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.
- (7) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association no later than 24 hours before the commencement of the meeting.

3.5 Resolving disagreement

Disagreements must be resolved using the grievance procedure (Part 3, Division 3) outlined in the 'Model Rules' for Incorporated Associations. Mediation is the first step. Where the outcome of disciplinary action is that the member is expelled from the association, the former member will lose all rights to their plot. The member will be required to return all keys and other items which are property of the association or the City of Boroondara. Members who are expelled from the association will receive a pro-rata refund following a written request to the Committee.

3.6 Communication

Internal — Internal communication will occur via email and a noticeboard in the shelter. Members are expected to review all communications.

External — External communication will occur using Facebook or a website and newsletters. The website will provide clear guidance on how to join the garden and information on the waiting list.

Notices required to be given to Members will be given in accordance with the Rules.

The authority to communicate on behalf of the garden lies solely with Committee President or delegate.

3.6.1 Signage

Requests to post signs within the community garden fences must be approved by the President or delegate. Signage visible to the public must be submitted to Council for approval.

4. Other Policies

4.1 Access and acceptance

The garden is gated and fenced and gates will be locked.

Consistent with the Ashburton Community Garden vision, the community garden members welcome individuals of all ages and backgrounds.

There are a number of elevated plots in the garden and, if available, these will be allocated to people with special needs – e.g. disabilities, bad backs etc.

Where a Community Group is a member of the Garden, that group remains responsible for the conduct of its members when in the Garden and must ensure that adequate insurance and supervision is provided for all of

its members while in the Garden. The Committee may set a maximum number of members of a Community Group attending the Garden at any time where that is necessary for health and safety and general enjoyment of all members of and visitors to the Garden.

4.2 Children in the garden

Ashburton Community Garden Committee of Management and members welcome children and their care givers to the Garden. The care giver remains responsible for their children at all times during their time in the Garden and must remain with children.

Any events in the garden for children should be run in the presence of their care givers or teachers. Any members involved in events or activities for children must have a current 'Working with Children' check, details of which must be recorded with the member's details kept by the Committee.

4.3 Alcohol, smoking

Members are required not to smoke in the Garden. Signs stating 'Please don't smoke in the garden' will be displayed. Members should be aware that the general public is not legally required to abide by these requirements. Members are not able to require the general public to abide by community garden rules. Alcohol should be served and consumed only in a responsible manner in compliance with any local or other laws.

4.4 Pets on site

Dogs may be brought into the community garden but must be securely tied to a post within the pavilion. Service dogs may be brought into the garden (A service dog has been trained to assist a person with special needs). Owners of any dog in the Garden are responsible for the dog while on site and must clean up after it.

4.5 Vehicles

Private vehicles are not permitted in the Garden. Trucks should deliver bulk mulch or topsoil mulch etc. at community garden access gates. The use of wheelbarrows or trolleys is recommended for moving large items. Members need to be aware that the path to the garden is a shared path that is also used by bicycle traffic, and as such care needs to be taken when entering and exiting the garden area.

5. Funding

5.1 Membership fees

- a) The joining fee and membership fee are set out below. In accordance with the Rules, with the exception of initial fees set out below, fees are set by the membership, on recommendation by the Committee, at the Annual General Meeting of the association. Membership fees are set to cover the basic operational costs of the garden. Fees are payable annually. The membership year will be set by the Committee. Fees are due within one month after the beginning of the membership year or membership (including the holding of plot) may be forfeited.

Current fees

Joining Fee	\$15
Plot Holder Annual Membership	\$50
Payment for a second plot	Pro Rata (based on \$50 annual fee) to be determined by the Treasurer.
Community Groups	No charge

5.2 Applying for grants

All Members can identify grant opportunities and project ideas for grant funding and should refer these ideas to the Committee.

5.3 Fundraising activities

All Members can identify fundraising ideas and activities and should refer these to the Committee.

6. Events and Partnerships

6.1 Events and Training

Events and training may be organised to build skills and capacity amongst Members and provide social activities to strengthen and support community cohesiveness.

6.2 Partnerships and community engagement

The Committee will continue to foster the relationship with local community organisations and identify opportunities of mutual benefit to other parties.

Examples of community engagement activities include:

- a) Community workshops
- b) Sharing excess food
- c) Activities in the garden (yoga, art)
- d) Engagement with local kindergartens and schools.

7. Contacts

Email: ashburtongarden@gmail.com

8. Other information

8.1 Model Rules to prevail

To the extent of any inconsistency between this plan of management or any regulation or determination of the Committee and the Rules, the Model Rules for an Incorporation Association prevail.

8.2 Damage to the garden

Any damage to the garden must be reported immediately to the committee.

8.3 Privacy

The Committee will manage your personal information as required under the Associations Incorporation Reform Act 2012 (the Act). Personal information that is reasonably needed to operate the Garden, such as names and addresses, is collected for the purposes of administering and managing the Garden and contacting members and people on the waiting list with information about the Garden including activities and events within the Garden. The Committee will not, except with your consent or where required or permitted by law share your personal information with others. Members are referred to s.59 of the Act. Requests under that section are to be made to the Secretary.

Superseded Ashburton Community Garden By-Laws

The current Ashburton Community Garden By-Laws Issue 3 dated August 2012, have been attached to this Plan of Management.

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ASHBURTON COMMUNITY GARDEN BY-LAWS

Issue 3* - August 2012

The Ashburton Community Garden Inc is an incorporated entity under the Associations Incorporation Act (1981), and Certificate of Incorporation No. A0053581N dated 18 September 2009 has been issued by Consumer Affairs Victoria.

Plot Allocation

Initial allocation of plots is one plot per household in order of priority, allocated to Ashburton residents first, and then to other Boroondara residents if plots are available.

After the initial allocation the Committee of Management will maintain a “waiting list” for any Boroondara resident to apply, and allocation is made on availability, in the date order on the list.

General

1. The authority to communicate on behalf of the garden lies solely with the elected Public Officer and the President of the committee.
2. Any issues or activities relating to the garden must be processed through the committee first.
3. Any grievances should be brought before the committee in writing and the complainant is prepared to discuss this matter with the committee if requested.
4. Any damage caused to the garden must be reported immediately to the committee.
5. The annual membership fee is set at the October Annual General Meeting (AGM) and must be paid within twenty-eight (28) days.
6. Working bees are held regularly and every member is expected to attend. Attendance at two (2) working bee/social functions in one year is required. If a member is unable to attend a working bee then alternative arrangements will be made with the committee.
7. STEALING is an offence. Anyone who illegally takes either produce or garden property will have their membership reviewed by the committee.
8. It is the responsibility of parents to ensure that their children do not interfere with the plots of other members.
9. Dogs brought to the garden must be tethered to the perimeter fence away from garden plots. Owners must always clean up after their dogs.
- a.
10. Disciplinary procedures and action taken by the ACG committee regarding unkempt plots are as follows:
 - b.

- (a) Disciplinary procedures and expulsion of members will be dealt with under the provisions of the rules as set out in the “Model Rules” of the Associations Incorporations Act (1981).
- (b) Action taken by the ACG committee regarding unkempt plots will be as set out in the Protocol at Annex 1 on these By-Laws.

Plots

- 11. All allocation and reallocation of garden plots will be made by the committee to an individual or family group. No member can transfer the ownership of their plot to another person.
- 12. New plot holders are expected to have their plot in order within three (3) weeks.
- 13. Plots must be kept in good order, reasonably free of weeds and with a crop planted. Members are responsible for the upkeep of the paths and areas surrounding their plot. If a plot is not maintained it may be resumed by the Committee according to the process set out in the Annexure 1 of these By-Laws.
- 14. Only natural, organic products endorsed by the committee may be used within the garden. All other weedicides, fungicides and pesticides are banned. A list will be posted by the committee in the garden shed of acceptable products.
- 15. Garden waste can be placed by individual plot holders in their own compost bins on their own plots, or be removed from the garden promptly, so as not to allow the spreading of weeds and pests.
- 16. Members who do not intend to cultivate their plots in the winter months are requested to either cover them with ‘weed cloth’ or grow a suitable ‘green manure’ crop to assist in the elimination or reduction in weed growth.
- 17. The use of carpet and underlay as mulch is banned due to the backing not rotting quickly. The use of weed matting is permitted subject to it being managed appropriately.
- 18. Please take care to ensure any high growing crops do not shade or impede on neighbouring plots. A communal orchard has been specifically provided for fruit tree cultivation.
- 19. If through illness you are unable to attend to your plot, let the committee know. You will receive understanding and may receive some help.
- 20. Please inform the committee if you are away for any length of time. If the period is longer than three (3) months the plot may be reallocated unless another agreement is made with the committee.

Responsibilities

- 21. The responsibility of each member is to make sure the sheds and gates are properly locked when you leave. Please check to see if you are the last to leave.
- 22. The garden key must be kept in the sole possession of the plot holder. Under no circumstances should it be given to a non-member for example for holiday watering or produce gathering. In such

circumstances, another member of the garden may maintain the untended plot. The key must not be replicated and must be returned once a member does not renew their membership or resigns from the garden.

23. Members are expected to remove their own rubbish from the garden.

Tools

24. Members using gardening equipment must operate such equipment with due care for the safety of other garden members, the public and the garden itself.
25. Tools and equipment are the property of the garden and must not be removed from the site. They should not be left on paths and need to be cleaned and returned to their correct place in the shed. Nozzles should not be removed from hoses.

Water

26. Water is precious and members are required to adhere to Victorian water restrictions, use water wisely and have turned the tap off correctly. Use of rain water in tanks is also to be kept to a minimum.

Public Housing Residents

27. Ten (10) garden plots are to be set aside for public housing residents. If these plots are not taken up, or are vacated, they will be held in trust until they are taken up by public housing residents. The plots will be maintained in accordance with the By-Laws by local community organisations as approved by the committee. Public housing residents who do not hold one of these ten plots, can register interest in holding one of the other plots in the garden and will be given equal consideration in the allocation of plots.

Elevated Plots

28. The elevated plots will be allocated to people with health issues, e.g. disabilities, bad back etc.

ANNEXURE 1 TO ASHBURTON COMMUNITY GARDEN INC BY-LAWS

ASHBURTON COMMUNITY GARDEN PROTOCOL REGARDING UNKEMPT PLOTS

The Ashburton Community Garden (ACG) By-Laws, paragraph 13, require plot holders to ensure that they maintain their plot in “good order, reasonably free of weeds and with a crop planted”.

The By-Laws also require plot holders to ensure they do not use inappropriate materials, do not shade neighbouring plots and that spent plant material is removed from the garden site, and to ensure that watering of plots is carried out in a responsible way.

Paragraph 13 of the ACG By-Laws include the provision whereby a plot can be resumed in the situation where the Committee is of the view that their plot is not being properly maintained.

Resumption of a plot is considered to be the final action, and before this step is taken by the Committee, the process of dealing with unkempt plots, or other deliberate contravention of the By-Laws, the following process should be followed:

- 1 A member of the Committee shall issue a letter advising the plot holder that the plot is not being maintained in an acceptable manner and asking that the plot be brought into order within a three (3) week period from the date of the letter.
- 2 If, after the expiration of the above period, a further inspection reveals that the plot is still not in good order, a further letter is to be sent to the plot holder giving a further two (2) week period to rectify issues that should be specifically stated in this second letter. This letter shall also refer to the possible resumption of the plot at the end of this notice period in the absence of extenuating reasons for non-compliance.
- 3 A further inspection shall take place after the expiration of the notice period in the second letter. If the member of the Committee overseeing the plot’s maintenance is of the view that the plot should be resumed, that member of the Committee shall seek the view of two other Committee members. If a majority of the three Committee members agree, the plot holder will be informed by letter, signed by either the President or Secretary that the plot has been resumed and keys are to be surrendered.

Annexure 1 is as modified by the Committee in August 2012