

Murramarang Community Garden Inc

Constitution and Plan of Management

Last amended April 2021

The Murramarang Community Garden Inc. acknowledges the Murramarang People of the Yuin Nation, traditional custodians of the land on which the garden is located.

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Appendix 1: *Premises Licence between The Australian National University KCC and Murramarang Community Garden Inc.*

Appendix 2: *ANU KCC Site Guidelines*

Appendix 3: *MCG Work Health and Safety Policy (WHS)*

Purpose of the Garden

1.1. Vision Statement

“Growing Food Together”

1.2. Objectives

The garden will serve as a place where:

- The local community can grow healthy produce, working the soil and harvesting crops together;
- Everyone is welcome and encouraged to participate, facilitating the development of an inclusive, caring and diverse community;
- Social and recreational life is valued, common areas provide opportunities for informal interaction and regular activities to encourage people to relax, chat and make friends;
- Gardeners learn from each other and share their skills;
- Organisational systems and procedures, including regular meetings, ensure the smooth running of the garden and that clear lines of communication are maintained;
- The garden design is in keeping with the nature of the site and the surrounding natural environment, is accessible to all and incorporates a harmonious blend of shared areas and individual plots supporting native flora, fruit trees, vegetables, herbs and flowers;
- Best practice, biological and sustainable gardening methods are to be utilised, particularly those that are organic, low input, highly productive and water-wise. Understanding and awareness of sustainability is to be fostered in the local community; and
- Members of the gardening group make themselves and their activities available for research by staff and students of the ANU.

2. Governance

2.1. Legal Entity

Murramarang Community Garden Inc (MCG) is an Incorporated Association under the NSW Associations Incorporation Act, 2009. MCG’s incorporation number is INC9894499.

MCG’s Australian Business Number (ABN) is 78 483 124 422.

MCG carries Public and Property Liability insurance underwritten by Lloyds of London and established through the Royal Horticultural Society of Victoria.

2.2. Constitution

MCG has adopted, as its Constitution, the Model Constitution developed by NSW Department of Fair Trading.

2.3. Premises Licence with Australian National University

The Murramarang Community Garden is established on land leased from the Australian National University on their Kioloa Coastal Campus.

The terms of this lease are contained in a *Premises Licence* signed by MCG and attached as Appendix 1.

The Constitution, Plan of Management and the Premises Licence with ANU are the key documents informing the operations and management of MCG.

2.4. Membership

Membership of the Association is open to all residents, ratepayers and leaseholders in the villages of Bawley Point, Kioloa and Termeil and their environs.

Membership of MCG is by application as specified in the Constitution. The membership fee is \$10 and plot rental is \$30 pa. Members must complete a membership form and provide a signed agreement to the conditions of membership, as set out in this Constitution and Plan of Management.

2.5. Management Structure

2.5.1. Management Committee

The operations and activities of MCG are managed by a Management Committee, elected by the membership, and comprising:

- President;
- Vice President;
- Secretary;
- Treasurer, and
- Up to 10 elected Committee members.

The Management Committee is elected annually in accordance with the Constitution. Other MCG Members may be appointed to assist the Committee as required.

2.5.2. Garden Manager

The Management Committee will elect one of its number as Garden Manager to oversee the day-to-day operation of the Garden. Specifically, the Garden Manager will be responsible for implementing decisions made by the MCG Management Committee:

- Implementing WHS policy, including Covid-Safe policy;
- Ensuring that the site remains safe and secure in accordance with the Code of Conduct and Clause 5 below; and
- Be the first point of contact and initial mediator for any disputes (see Clause 8 below).

3. Communication/Decision Making

3.1. Correspondence and Communication

All correspondence and other communication with the Association should, in the first instance, be addressed to the Secretary. The Secretary will maintain a record of all inwards and outwards correspondence.

3.2. Management Committee

The Management Committee will meet at least 4 times per year. Any member can have an item placed on the agenda for these meetings by contacting the Secretary. The member should provide a submission in support of the agenda item.

Management Committee decisions and other information will be communicated to the members via a weekly email message and through the MCG website: (<http://murramarangcommunitygarden.weebly.com>).

3.3. Membership

An Annual General Meeting will be held between July and September each year in accordance with the Constitution.

A General Meeting for members will be held at a date between July and September each year to enable the Management Committee to report to members and to seek members' agreement to the Work Plan and Budget for the coming Financial Year (see 7 below) and to any amendments to this Plan of Management.

Under the Constitution other Special General Meetings may be called either by the Management Committee or the Membership.

4. Code of Conduct

The purpose of this Code of Conduct is to foster respect for other gardeners and to ensure the efficient and harmonious operation of the garden. By applying for membership all members agree to abide by this Code of Conduct.

- The garden is a shared community space and members are to respect the rights of all other users of the space;
- All members are to dispose of waste appropriately and to help keep the garden (including shared areas) clean, tidy hygienic and weed free;
- Alcohol consumption is not allowed on site unless a specific social occasion has been arranged and permission has been granted by ANU;
- Smoking is not permitted;
- The growing or consumption of illicit drugs is not permitted on site;
- Plants, flowers and produce should not be taken from individual plots without permission;
- Dogs are not permitted on the ANU property, including the garden site; companion animals are permitted and must be kept on a leash;
- Noise should be kept to a minimum in respect of other's quiet enjoyment of the garden. Children of members brought to the garden should be supervised by those members at all times;
- Language used should never be abusive, threatening or rude;
- All members are expected to participate in communal working bees, fund raising events and other activities designed to develop and maintain the garden. The date and time of these activities will be advertised in the weekly email and on the association's website;
- COVID-safe protocols are to be followed by everyone whilst on the site, including physical distancing, hand hygiene and using the MCG QR code or the sign in book on entry and exit; and
- Crops are to be grown for personal consumption or to share with others, not for personal financial gain.

5. Access and Security

All members are to take responsibility for the security of the site. The last member(s) to leave the site should ensure that all equipment is securely stowed away, that *all* water taps are turned off and that the access gate to the garden is securely closed. The access gate to the site from Murramarang Rd. must also be securely closed and locked, using the combination lock provided.

6. Plot Allocation and Maintenance

- The garden design is based on individual garden plots rented to members for an annual fee. All plots are of a standard size (2.4m X 1.2m x 200mm) and the rental charge for a plot is \$30 per annum (January to December).
- Plots can be raised to a higher level (400mm/600mm) depending on the physical needs of the individual gardener and at the discretion of the Garden Manager.
- For the life of this Plan of Management access between plots must be maintained to allow all gardeners to easily access water and to maintain their plots. Adjoining plots *may not* be netted together.
- Plots are allocated on a first come, first served basis. If there is competition for a particular plot it will be resolved by ballot.
- Members with a netted plot must ensure it is raised at least 150mm above ground level to facilitate mowing and buckets, bins, etc. are to be contained within the plot.
- Only material purchased by MCG is to be used in the construction of plots, including sleepers and screws and *all* alterations must have the approval of the Management Committee.
- Any planting not contained within an individual gardener's plot will be considered to be communal.
- Plots that are not planted out or maintained will be forfeited (effective from December 2012).
- The Management committee will authorise the removal of any vegetables/fruit that become flyblown or rotten.
- One plot per person or a maximum of two plots per household is permissible (effective from January 2013).
- All members of a household using the plot/s *must* be financial.
- Closed footwear must be worn whilst at the garden.
- Gardeners must not use communal equipment such as the mower and brush cutter unless they have undertaken appropriate instruction in their use, including the wearing of equipment such as eye and ear protection.
- The use of recommended herbicide is restricted to those approved by the Management Committee.

7. Funding

MCG is a self-funding association relying on membership fees, donations, grants, sponsorships, fund raising activities by members and in-kind contributions to achieve its annual financial objectives. The Management Committee will authorise and co-ordinate all the fundraising activities of the association. Members will not carry out unauthorised fund-raising activities.

Each financial year a budget will be prepared reflecting the activities to be undertaken in the Work Plan for that year.

The Budget and Work Plan for the coming financial year will be presented at the Annual General Meeting of members (see 3.3 above). The budget will identify both costs and revenue sources. Only fully funded activities will be undertaken in any financial year and all activities to be undertaken in that year will be authorised by the Management Committee. No unauthorised activities are to be undertaken by members.

8. Dispute Resolution

Disagreements between members should be resolved calmly and amicably. Where there is a conflict or dispute that cannot be resolved by the individuals involved it will be referred, by the Garden Manager or a member, to the Management Committee whose decision on the matter will be final. The Secretary will be responsible for managing the process to resolve these disputes.

9. Implementation of this Constitution and Plan of Management

Development and implementation of this Constitution and Plan of Management is the responsibility of the Management Committee, reporting to members as outlined above.