

## **COGS: Has our structure passed its use-by date?**

Our present structure has been described as "Centralised administration with delegated management". Is that really how it works?

Perhaps the basic issue is that COGS has two levels of management, not one: a local garden committee and a "super-committee", the executive committee, which has ultimate responsibility for what happens in COGS gardens. This means that the executive committee is inevitably dragged into disputes created by local issues. Over time, COGS has seen that local issues can be more complex than they appear at face value.

- Is it sensible to expect local disputes and issues to be solved efficiently by the executive committee, most of whom weren't involved in, and cannot easily see into, the underlying causes of, disputes?
- Are we prepared to keep accepting the costs (both legal and personal) that our current model is inflicting on COGS and/or the office bearers of the executive committee?

Gardeners are, ultimately, willing to serve on the garden committee, albeit sometimes reluctantly. The executive committee positions, however, are not always filled. The typical answer to this is that we need to do more to "educate" our members, to "encourage" them to take on a role as an office-bearer. Perhaps, however, this situation points to a fundamental problem with our structure.

There is anecdotal evidence that might suggest our members see the work of the executive committee as not being as important as the work of the local gardens. The executive committee is sometimes spoken of as though it was an add-on to, or a burden upon, individual gardens. For example, questions like "Where does *our money* go?", or (remember the chooks at Mitchell?) "What's the President doing here, *who invited him?*" Or, at an annual garden meeting, "And today we have with us (names); they've come from COGS to observe our meeting." These things, individually, may just be oversight or poor expression but they are widespread and would also be consistent with a broader structural issue.

The structure of COGS as an association comes from law, the Associations Incorporation Act, which sets out the processes that must be specified in the COGS constitution for the election of the executive committee, reports to our members and, if matters go badly, how the executive committee may discipline a garden member. That is a stark contrast to how things operate at any of the gardens. In recent years, the executive committee has had to take on yet another task: ensuring that, at the garden level, there is a fair election process and proper record-keeping. Arguably, more work would need to be done if the garden committee at each of our gardens was to have the same level of governance as does the executive committee. For example, the process for calling and running a committee meeting of the executive committee are fixed by the constitution and backed up by law. At the garden level, those requirements change with each committee. The processes to govern the actions and responsibilities of members of the executive committee are again specified in the constitution and backed up by law. At the garden level, that is not the case.

Perhaps now is the time for COGS to be broken up into 12 separate incorporated associations, one for each garden? That way, each garden would:

- Be responsible for its own affairs.
  - Need to have a constitution for managing its finances and affairs
- (Gardens where the members were not willing to take up these responsibilities would close.)

Potential downsides of such a separation would include:

- Each garden would need to pay for its own public liability insurance
- Each garden would need to keep its own financial records and submit those records to audit (This would not, for 12 smaller gardens, require a professionally qualified auditor).
- There might be changes, over time, in the philosophy behind how each garden worked. For example, might some of the gardens become truly hard-line organic while others become more relaxed about the use of chemicals – is such a difference necessarily a bad thing?
- There may not be scope (and finances) to maintain a magazine of the high standard of the Canberra Organic and/or provide content for our Facebook and web pages.

—Terry Williams

# Future of COGS

## Background

COGS was established in 1985 and adopted its Constitution as an incorporated society in that year. The Society was built on the foundations laid by Betty Cornhill in 1977 when she and other organic growing enthusiasts established the Organic Gardening and Farming Society of the ACT (OGFSAC), later changing its name to Canberra Organic Growers. Since its establishment 43 years ago, membership of the Society has steadily grown from a group of enthusiasts to over 440 individuals, the majority of whom are active garden plot holders. Its original intent to promote the principles of organic growing has been an outstanding success. No longer is this venture the preserve of 'hippies' or eccentrics; fruit and vegetables grown organically are now accepted as mainstream.

Since its establishment, COGS has developed an organisational structure that is vastly different from one that had one 'guerilla garden' operating at Curtin in 1977.<sup>1</sup> COGS provides an umbrella for the operation of each of the 12 gardens located in the suburbs of Canberra; the majority of these gardens are situated on unleased ACT Government land or land under a lease agreement with the ACT Education Department (such as Dickson and Kaleen) or lease arrangement with the Uniting Church (O'Connor). The Society is the point of contact with the ACT Government for the purposes of managing, financing and planning of these gardens. COGS through its incorporated status, provides its members with public liability insurance and financial management of government grants and it is responsible for the negotiation of the licensing agreement that enables 8 of the 12 gardens (Crace, Betty Cornhill, Cook, Charnwood, Kambah, Mitchell, Oaks Estate and Holder) to operate on unleased land.

Putting aside the organisational and legislative responsibilities of COGS, the Society has striven to perform a broader function than one that merely provides members with access to plots in the gardens. COGS established a management and administrative structure to facilitate the

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<sup>1</sup> See Walter Steensby's description of the history of COGS at <https://www.cogs.asn.au/aboutcogs/history/>

gardens' operations and to continue with its objective of providing a community forum to promote the principles of organic gardening and be a place where members could share their knowledge and enthusiasm for these. The Society retained the 'community garden' ideal, with each of its gardens having a convenor and committee largely responsible for the daily management of the gardens.

Although the COGS provides a set of rules that govern the operation of these gardens, it has encouraged each to develop rules that are additional and specific to their purposes. Convenors of the gardens are invited to meetings of the COGS Committee and are welcome to provide input into discussions and have voting rights on 'garden matters'.

### **Current operation**

COGS is now operating in a regulatory and compliance framework that could not have been imagined by its founders. Challenges to the Society's management and the operations in its gardens expose the fragility of the current organisational arrangements, particularly as these rely on volunteer office bearers to devote considerable time to their resolution. For example, in late 2019, COGS had two cases that demonstrated the heavy demands now placed on our office bearers. One case was brought by a COGS garden member to the ACT Supreme Court that challenged the COGS committee decision making powers. COGS had to build a case to defend its position. It was fortunate that the COGS could access a network of legal advisors to act on behalf of the Society; these advisors undertook the work free of charge and were successful in their defence. But, preparation of the defence involved several office bearers working long hours. This case ran parallel to a number of other disputes between gardeners. Another case involved the ACT Human Rights Commission (HRC) and dealt with an accusation of discriminatory behaviour by members of a particular garden which was rejected by COGS. COGS was cited as the party to this case and so was required to submit a response; several COGS office bearers spent considerable time preparing the written submission, attending meetings and participating in a conciliation process.

COGS is not only confronting an external environment that has increased regulatory oversight, but also changes to expectations in the way in which we communicate within and beyond the Society. As required by changes to the ACT Incorporations Act, COGS has recently developed a set of procedures to guide resolution of disputes and is in the process of preparing forms and guides to record any accidents within the gardens. To facilitate access to these documents,

they will be placed on our website. However, to do this, COGS depends on volunteers to manage our website and Facebook page. If these individuals are unavailable, there is a risk that this will curtail the relevance of these communication forms. There is no greater turnoff than out of date webpages. If we want to engage with current members and attract others, especially younger people, ecommunication is now essential.

Overtime the educative role of COGS has diminished. While there are now many sources of advice and information available to gardeners, many still want practical advice. COGS needs to adapt to the challenge of reconsidering this function and the form it would take. Until recently, the website was moribund and the monthly members meet was in decline. However, a recent open day at Charnwood was a great success and this is an indicator of the type of activity that interests our community; further, the newsletter is regarded as a very successful mechanism to engage our members. However, while the Committee is increasingly preoccupied with the management and administration of the gardens, the outreach role of COGS has suffered and hence the relevance of the Society to its community has also declined.

### **Options for the future of COGS**

Listed below are some possible options for the operation of the Society. This list is by no means exhaustive and should not preclude other models; they are merely provided as a means of starting the debate. Further, there are no advantages and disadvantages listed for each.

- COGS continues in current form with each set of office bearers undertaking increasing workloads. Possibly work with peak volunteer body to resolve operational tensions.
- Appoint an part-time Executive Officer to undertake core administration functions for COGS and to work with the President and Committee. This would bring a change to the roles and responsibilities of office bearers, such as the membership secretary, treasurer, etc.
- Reduce the number of COGS gardens and enhance governance structures, with COGS Committee establishing a Garden Convenors Sub Committee, chaired by the COGS Community Gardens Convenor who reports their business to the COGS Committee.
- COGS relinquishes management of licence with ACT Government. COGS retains and enhances educative role. Affiliate gardens establish a relationship to ACT government (perhaps some merge).

- COGS merges with Canberra City Farm and gardens operate under this umbrella organisation.
- Alter the governance structure of COGS (and hence its constitution); garden convenors form board of management with possible rotation of chair.
- Dissolve COGS. Gardens operate independently and negotiate individual licences with ACT Government and ACT Education.

—Peter Weddell (President, 2019/2020)

—Julie Gorrell (Secretary, 2019/2020)

## Issues for COGS

There are several issues converging at present that I think COGS (and City Farm as well as a farming cooperative I am currently involved in setting up - Community Owned Farming Enterprises (COFE)) can take advantage of. These include:

- a growing public awareness of the issue of food security issues and the quality of food triggered by the pandemic,
- a growing public awareness of the impact of food production on the environment,
- the demand for allotment gardens seems to be growing (CCF has many more requests for plots than we can satisfy and I expect COGS is probably in the same position),
- there are now 6 Greens (including 3 Ministers) in the new ACT government and we may be able to use the Greens Urban Agriculture policy as leverage to get a better deal for all forms of organic urban agriculture including allotment gardens
- Regional Development Australia (ACT) is making a major push into the food policy space and are keen on community based food production such as allotment gardens and city farms. They have a conference series underway, the first of which was held last week (which I attended) and there will be another two next year. They have also set up what they call an ACT AgriFood Panel which I am part of. This is an information sharing, networking group. RDA has the potential to unlock some federal funds.

I guess the question is, how do COGS, City Farm and COFE take advantage of this situation to address the issues we face in our respective organisations such as:

- how do we respond to the increasing community demand for more allotments as well as community produced and local food?
- in the City Farm (and I suspect in COGS) we have gone about as far as we can using volunteer labour. Volunteer burnout and its effects are an issue i think we need to address pretty soon,
- would we (COGS, City Farm and COFE), given our common values, have a greater likelihood of success if we worked together rather than separately to secure funding for our organisations through some sort of peak body (an urban agriculture group?)?
- should such an organisation seek triennial funding (like SeeChange or Environment Centre) to pay for at least some of the day to day administration of our respective organisations thus releasing volunteers to do other things they much prefer to do.

- would we (COGS and City Farm) be better off under a different legal structure, eg non distributing cooperative or not-for-profit company limited by guarantee rather than a not for profit association as we are now.

These are just some of the things we need to think about and have been bouncing around in my head. I'm sure there are many other things to also consider. I should say I have only mentioned some of these ideas at the City Farm and COFE in passing so they are just my ideas at present but I was going to start pushing them a bit harder after Christmas.

If think this next four years of the Legislative Assembly is probably the best opportunity we have had for quite a while for making changes to the conditions we currently operate under. If you would like to discuss any of these issues, let me know and we can have a chat.

—Keith Colls

Canberra City Farm



## **COGS Garden Volunteer Information Program.**

The aim of this program is to inform and train COGS garden plot holders and non-plot holders within the area of volunteering at the garden level.

The history of the garden committees shows that many plot holders are reluctant to volunteer for their garden committee because of several reasons.

- time restraints
- not willing to accept their garden membership guidelines
- limited knowledge of COGS garden committee responsibilities
- misunderstanding of the structure and formation of COGS
- presumption that COGS is managed and funded by a Government Department

While all COGS gardens have a Convener, many have a different role for the other members of the garden committees.

- Maintenance person or team
- Grass mowing team
- Working bee person or team
- Equipment person
- Other personalized roles like catering, security, OHS, fruit trees and compost
- and some have a joint Convener person

### **Garden meetings**

Many gardens hold garden meetings that include some or all interested plot holders, and some gardens only have Garden Committee meetings.

As informed as plot holders are and can be, many gardens experience limited support for Committee roles.

There appears to be a gap in the information to members of the garden

- in relation to sharing the Committee roles
- in understanding or accepting that they are required to participate in the running of the garden through their garden membership

- refusal to accept that the community spirit of the garden means all members
- not wanting anything more than to garden their plot

### **New members**

New member plot holders are informed of all aspects of gardening in a COGS garden and agree to be part of the working bees and garden meetings. They are informed of the Garden Committee and may assume that the operation of the garden is set-up with paid employees or people with 'more time on their hands'.

The appearance and management of a COGS garden can give new plot holders the assurance that the garden committee is in good hands, set for the long term and they will continue to vote for that same committee again and again.

As we cannot police the membership agreement, and would not want a legal policy in place, we need a process to further inform and train plot holders to become more involved.

### **Action suggestions**

- hold compulsory volunteering training sessions for all new members (and a once only session for all present members)
- shortening the time of Committee positions to 6 months (Convener to continue for 12 months)
- make one term of 6 months compulsory for each plot holder
- require only one member from each plot to sit on the committee
- allow plot holders to form a partnership with another plot holder to share a committee position
- ensure members understand that their membership means they must contribute some volunteering goodwill to the garden - not just maintenance through working bees.

These suggestions may have more appeal as 6 months is not too long a commitment and sharing a role may allow more confidence in members joining the committee.

Without the whole garden membership contribution within a community spirit, problems occur in pockets and can end up being a huge drain on the Conveners, the COGS Executives and often finances.

All our gardens have a format and are required to conform to the rules and regulations formed by the COGS Executive Committee. But they are also required to practice a community spirit and flexibility within their individual garden environment and membership. This flexibility can be seen in the varying Committee roles and garden maintenance tasks.

No one program can be written to suit all gardens, but the training of volunteers and the membership rules can apply to all gardens and their plot holders.

—Narelle McLean

Mitchell Garden Convener