

AGENDA

Community and Culture Committee

Monday, 08 July 2024

6:00 PM

Dragon Room

Georges River Civic Centre

Hurstville



OATH OF OFFICE OR AFFIRMATION OF OFFICE

All Georges River Councillors are reminded of their Oath of Office or Affirmation of Office made at the time of their swearing into the role of Councillor.

All Councillors are to undertake the duties of the office of Councillor in the best interests of the people of the Georges River Council area and are to act faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act to the best of their ability and judgement.

DISCLOSURES OF INTEREST

All Georges River Councillors are reminded of their obligation to declare any conflict of interest (perceived or otherwise) in a matter being considered by Council or at any meeting of Council.

COMMUNITY AND CULTURE COMMITTEE MEETING

ORDER OF BUSINESS

OPENING

ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. I pay my respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live, work and meet on these lands.

APOLOGIES / LEAVE OF ABSENCE

REQUEST TO JOIN VIA AUDIO VISUAL LINK

NOTICE OF WEBCASTING

DISCLOSURES OF INTEREST

PUBLIC FORUM

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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COMMITTEE REPORTS

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CONFIDENTIAL (CLOSED SESSION)

COM030A-24	Preliminary Investigation Works for 38 Humphreys Lane Hurstville (Report by Manager, Cultural Engagement and Library Services)	
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CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Item: COM020-24 Confirmation of the Minutes of the Community and Culture Committee Meeting held on 11 June 2024

Author: Executive Services Officer

Directorate: Office of the General Manager


Matter Type: Previous Minutes

COM020-24

RECOMMENDATION:

That the Minutes of the Community and Culture Committee Meeting held on 11 June 2024, be confirmed.

ATTACHMENTS

Attachment [↓](#)1  Minutes of the Community and Culture Committee Meeting held on 11 June 2024

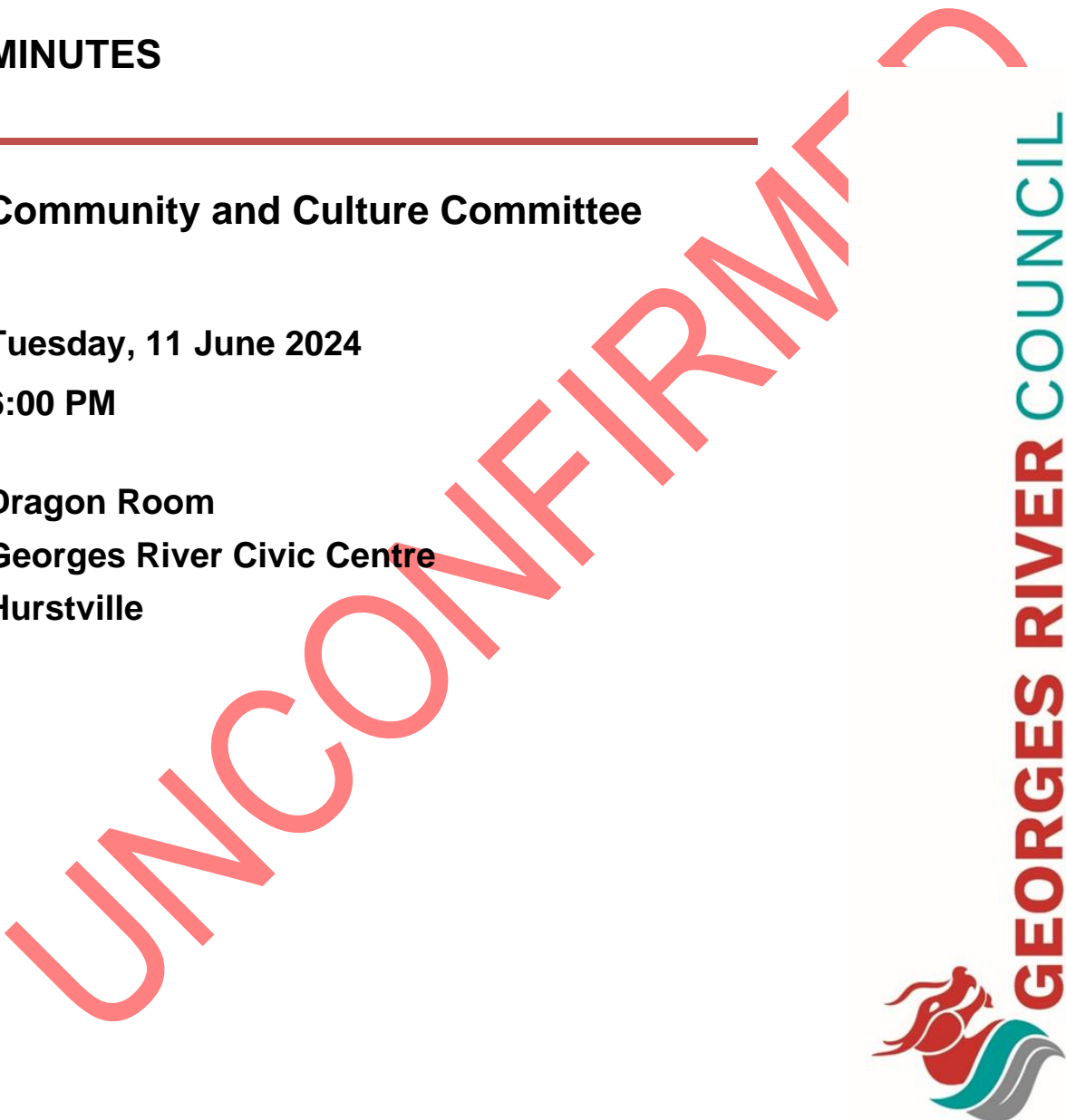
MINUTES

Community and Culture Committee

Tuesday, 11 June 2024

6:00 PM

Dragon Room
Georges River Civic Centre
Hurstville



PRESENT

COUNCIL MEMBERS

Councillor Nancy Liu (Chairperson), Councillor Ashvini Ambihaipahar, Councillor Lou Konjarski, Councillor Kathryn Landsberry, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, and Councillor Benjamin Wang.

COUNCIL STAFF

General Manager – David Tuxford, Director, Director Community and Culture - Kristie Dodd, Acting Manager City Life – Naomi Bryant, Acting Manager Community and Early Learning Services - Alexis Drevikovsky, Research and Policy Officer – Madeline Bull, Manager Office of the General Manager - Vicki McKinley, Team Leader Technology Business Support - Mark Tadros, IT Services Desk Technician – Louie Gu, Executive Services Officer - Marisa Severino and Executive Assistant to the Director Community and Culture – Billie Johnson (Minutes).

OPENING

The Chairperson, Councillor Liu, opened the meeting at 6.00pm.

ACKNOWLEDGEMENT OF COUNTRY

The Chairperson, Councillor Liu acknowledged the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. She paid her respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live, work and meet on these lands.

APOLOGIES/LEAVE OF ABSENCE

There were no apologies or requests for leave of absence.

REQUEST TO ATTEND VIA AUDIO VISUAL LINK

There were no requests to attend via Audio Visual Link.

NOTICE OF WEBCASTING

The Chairperson, Councillor Liu advised staff and the public that the meeting is being recorded for minute-taking purposes and is also webcast live on Council's website, in accordance with section 5 of Council's Code of Meeting Practice. This recording will be made available on Council's Website.

CODE OF MEETING PRACTICE

Council's Code of Meeting Practice prohibits the electronic recording of meetings without the express permission of Council.

DISCLOSURES OF INTEREST

There were no disclosures of interest made.

PUBLIC FORUM

There were no registered speakers.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COM016-24 Confirmation of the Minutes of the Community and Culture Committee Meeting held on 13 May 2024

(Report by Executive Services Officer)

RECOMMENDATION: Councillor Landsberry, Councillor Smerdely

That the Minutes of the Community and Culture Committee Meeting held on 13 May 2024, be confirmed.

Record of Voting

For the Motion: Mayor, Councillor Elmir, Councillor Liu, Councillor Ambihaipahar, Councillor Konjarski, Councillor Landsberry, Councillor Mort, Councillor Smerdely, Councillor Stratikopoulos, Councillor Wang

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

COMMITTEE REPORTS

COM017-24 Draft Local Approvals Policy - Use of Public Land for Public Exhibition
(Report by Research and Social Policy Officer)

RECOMMENDATION: Councillor Konjarski, Councillor Stratikopoulos

- (a) That the Draft Local Approvals Policy - Use of Public Land (the Policy) be placed on public exhibition for a period of no less than 28 days.
- (b) That submissions received during the public exhibition period be reported back to Council, together with recommended amendments for Council's endorsement.

Record of Voting

For the Motion: Mayor, Councillor Elmir, Councillor Liu, Councillor Ambihaipahar, Councillor Konjarski, Councillor Landsberry, Councillor Mort, Councillor Smerdely, Councillor Stratikopoulos, Councillor Wang

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

COM018-24 Review of the Georges River Council Sports Advisory Committee
(Report by Research and Social Policy Officer)

RECOMMENDATION: Councillor Mort, Councillor Landsberry

- (a) That Council complete the trial of the Georges River Council Sports Advisory Committee.
- (b) That Council endorse the establishment of a Sports Advisory Committee as an official Committee of Council, commencing November 2024.
- (c) That Council note the reviewed and updated Terms of Reference for the Sports Advisory Committee, to be endorsed by the Sports Advisory Committee at its first meeting.
- (d) That Council elect three Councillors to the Sports Advisory Committee in line with nominations of all other Committees of Council in October 2024. Noting, that Council representatives are for the duration of a Council term.
- (e) That Council note operational improvements to the Sports Advisory Committee.

Record of Voting

For the Motion: Mayor, Councillor Elmir, Councillor Liu, Councillor Ambihaipahar, Councillor Konjarski, Councillor Landsberry, Councillor Mort, Councillor Smerdely, Councillor Stratikopoulos, Councillor Wang

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

COM019-24 Event Grant to Support 3Bridges NAIDOC 2024 Event
(Report by Coordinator Events and Sponsorship)

RECOMMENDATION: Councillor Landsberry, Councillor Konjarski

That Council approve the Event Grant of \$8,455 (\$6,790 financial and \$1,665 in-kind value) to support the '3Bridges NAIDOC 2024' event to be held on 10 July 2024 at Carss Bush Park.

Record of Voting

For the Motion: Mayor, Councillor Elmir, Councillor Liu, Councillor Ambihaipahar, Councillor Konjarski, Councillor Landsberry, Councillor Mort, Councillor Smerdely, Councillor Stratikopoulos, Councillor Wang

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

CONCLUSION

The Meeting was closed at 6.16pm

Chairperson

UNCONFIRMED

COMMITTEE REPORTS

Item: **COM021-24 Quarterly Community Property Report - 1 April to 30 June 2024**

Author: Coordinator, Programming and Operations

Directorate: Community and Culture

Matter Type: Committee Reports

COM021-24

RECOMMENDATION:

That Council receive and note the Quarterly Community Property Report for the period 1 April 2024 to 30 June 2024.

EXECUTIVE SUMMARY

1. This report details Lease and Licence Agreements executed within Georges River Council's Community Property portfolio for the period 1 April 2024 to 30 June 2024.
2. During the period 1 April 2024 to 30 June 2024, there were three (3) Lease agreements and zero (0) Licence agreements executed by Council.

BACKGROUND

3. Council manages a portfolio of sixty-four (64) community properties under a community lease or community licence.
4. There are 37 community facilities in the Community Property portfolio, which are divided into 40 separate tenancies (Table 1 - 6 in the attached Community Property Register - 1 April 2024 to 30 June 2024).
5. There are 26 community/sporting amenity buildings in the Community Property portfolio which are divided into 32 separate licensable areas. One licensable area is shared seasonally between two different tenants (Table 7 in the attached Community Property Register - 1 April 2024 to 30 June 2024).
6. During the period 1 April 2024 to 30 June 2024, there were three (3) Lease agreements executed:
 - (a) Narwee Preschool Kindergarten Incorporated, being Whole of Lot 432 in Deposited Plan 752056 and part of Lot 3 in Deposited Plan 1046103, 5 Bryant Street, Narwee. The term is for ten (10) years from the 18 August 2023 to 17 August 2033.
 - (b) Riverwood Community Centre, being in Lot 29 of Deposited Plan 35640, 31 Thurlow Street, Riverwood. The term is for five (5) years from the 1 January 2024 to 31 December 2028.
 - (c) Narwee Baptist Broadcasters Limited (2NBC-FM), Part Auto Consol 5115-226, being the whole of Level 1 of the building at 84 Railway Parade, Kogarah. The term is for five (5) years from 1 August 2022 to 31 July 2027.

FINANCIAL IMPLICATIONS

7. Council's Community Property portfolio received a total annual income of \$155,103 (excluding GST) for 2023/24 financial year.

8. An annual rental subsidy of \$1,092,372 (excluding GST) is applied across Council's Community Property portfolio based on current market rental rates. Subsidies are determined in accordance with Council's Community Lease Policy.

RISK IMPLICATIONS

9. A failure to enact the Leases and Licences in accordance with Council's Community Lease Policy could have a negative reputational impact on Council.

COMMUNITY ENGAGEMENT

10. Community engagement was undertaken in accordance with the Council's Community Lease Policy.

FILE REFERENCE

D24/135607

ATTACHMENTS

Attachment [↓](#)1 Community Property Register 1 April to 30 June 2024



Attachment 1 Community Property Report - Community Properties Listing
1 April 2024 – 30 June 2024

COMMUNITY FACILITIES

Table 1 - Scouts and Girl Guides

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
1	Oatley Girl Guides Hall 61 Neville Street, Oatley	Girl Guides Association NSW	\$20	TBC	30/06/2009
2	Prairievale Reserve Girl Guides Hall and Scout Hall 61 Terry Street, Blakehurst	Girl Guides Association NSW and The Scout Association of Australia NSW Branch	\$20	TBC	15/08/2004
3	Beverly Hills Scout Hall 30 Kooemba Road, Beverly Hills	The Scout Association of Australia NSW Branch	\$115	TBC	30/11/2003
4	Glen Road Scout Hall 2A Glen Road, Oatley	The Scout Association of Australia NSW Branch	\$115	TBC	18/08/2002
5	Kingsway Scout Hall 74 Barnards Avenue, Hurstville	The Scout Association of Australia NSW Branch	\$1	TBC	31/12/2021
6	Kyle Bay Sea Scouts Hall 161 Kyle Parade, Connells Point	The Scout Association of Australia NSW Branch	\$20	TBC	24/10/1996
7	Lugarno Scout Hall 18a Lime Kiln Road, Lugarno	The Scout Association of Australia NSW Branch	\$1	TBC	31/12/2021
8	Oatley West Scout Hall 117D Woronora Parade, Oatley	The Scout Association of Australia NSW Branch	\$1	TBC	31/12/2021
9	Oatley Sea Scouts Hall 16 Annette Street, Oatley	The Scout Association of Australia NSW Branch	\$20	TBC	9/01/2000
10	Peakhurst Park Hall 7a Hedley Street, Riverwood	Vacant	\$0	N/A	N/A
Total:			\$313	\$0	

Table 2 - Community Centres

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
1	Mortdale Community Centre 2B-2C Boundary Road, Mortdale	Jubilee Community Services	\$0	\$102,500	30/06/2036
2	Kingsgrove Community Centre 30 Morgan Street, Kingsgrove	Kingsgrove Community Aid Centre Inc.	\$0	\$49,522	30/06/2025
3	49 English Street, Kogarah	Kogarah Community Services	\$9,112	\$22,088	17/08/2025
4	Riverwood Community Centre 31 Thurlow Street, Riverwood	Riverwood Community Centre Ltd.	\$1,300	\$24,700	31/12/2028
5	Pole Depot, Part 23 and 25, St Georges Road, Penshurst	3Bridges Community Ltd.	\$1	\$104,999	4/09/2037
6	Norm and Beryl Butters Senior Citizens Centre 161 Hurstville Road, Oatley	3Bridges Community Ltd.	\$5,200	\$11,600	30/06/2021
Total:			\$15,613	\$315,409	

Table 3 - Baby Health Centres

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
1	Kingsgrove Baby Health Centre 30 Morgan Street, Kingsgrove	NSW Dept of Health	\$0	\$5,000	N/A
2	Oatley Baby Health Centre 26 Letitia Street, Oatley	NSW Dept of Health	\$0	\$45,000	N/A
3	Riverwood Baby Health Centre Cnr Keppel Avenue and Short Street, Riverwood	NSW Dept of Health	\$0	\$16,500	N/A
4	South Hurstville Baby Health Centre 1a Allen Street, South Hurstville	NSW Dept of Health	\$0	\$28,000	N/A
Total:			\$0	\$94,500	

Table 4 - Community Sports

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
1	163 Kyle Parade, Connells Point	Connells Point Sailing Club	\$584	\$32,316	29/04/2027
2	12 Merriman Street, Kyle Bay	Blakehurst Bowling Club Inc	\$599	\$4,601	18/09/2026
3	Hurstville Oval 30 Dora Street, Hurstville	St George Cricket Club Inc.	\$2,295	\$12,005	30/04/2029
4	Olds Park Sports Club 1 Olds Park Lane, Beverly Hills	Olds Park Sport Club	\$43,500	\$43,500	28/03/23
Total:			\$46,978	\$92,422	

Table 5 - Community Gardens

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
1	Hurstville Community Gardens 63 Wright Street, Hurstville	Hurstville Community Gardens Association	\$1	TBC	31/03/2011
2	Carss Park Community Gardens 72 Carwar Ave, Carss Park	Carss Park Gardens Group Managed by Georges River Council	N/A	N/A	N/A
Total:			\$1	\$0	

Table 6 - Miscellaneous

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
1	Penshurst Park Youth Facility 643-643A King Georges Road, Penshurst	3Bridges Community Inc.	\$56,307	\$209,068	31/12/2026
2	25 Cook Street, Mortdale	Mortdale Men's Shed Inc.	\$483	\$35,917	31/10/2022

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
3	Carss Cottage 80 Carwar Avenue, Carss Park	Kogarah Historical Society	\$513	\$22,887	12/12/2026
4	76 Carwar Avenue, Carss Park	St George Men's Shed Inc.	\$331	\$14,669	01/05/2026
5	5 Bryant Street, Narwee	Narwee Pre-School Kindergarten Inc	\$15,981	\$130,269	17/08/2033
6	Level 1, 84 Railway Parade, Kogarah	Radio 2NBC	\$5,825	\$17,475	31/07/2027
7	Pole Depot Part 23, St Georges Road, Penshurst	St George Creative Arts Society	\$1,600	\$38,000	31/12/2026
8	Crisis Accommodation Undisclosed location	Kingsway Community Care Inc.	\$0	\$45,455	Undisclosed
9	16 Gray Street, Kogarah	The Uniting Church in Australia Property Trust	\$1,000	\$39,000	10/12/2089
10	Kogarah School of Arts 10 Bowns Road, Kogarah	St George Concert Band	TBC	TBC	TBC
11	Cnr Crofts Street and Cross Street, Hurstville	Vacant	\$0	N/A	N/A
12	27 Railway Lands, Kogarah (Opposite 134 Railway Parade, Kogarah)	Vacant	\$0	N/A	N/A
13	1a Allen Street, South Hurstville	Vacant	\$0	N/A	N/A
14	Kempt Field Storeroom 75 Durham Street, Hurstville	Vacant	\$0	N/A	N/A
Total:			\$82,040	\$552,740	

COMMUNITY/SPORTING AMENITY BUILDINGS

Table 7 - Sport Amenities

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
1	Lower Gannon's Park Storeroom	Hurstville All Breed Dog Training Club Inc.	\$776	\$2,224	30/09/2027
2	Poulton Park Netball Storeroom 9 Morshead Drive, Connells Point	Connells Point Netball Club	\$539	\$261	10/12/2024
3	Peakhurst Park Touch Football Canteen, Changerooms and Storeroom 5a Hedley Street, Riverwood	Head Licence St George Touch Football Association Sub Licence Peakhurst Touch Football	TBC	TBC	TBC
4	Beverly Hills Park Rugby League Canteen, Changerooms and Storeroom 199 Vanessa Street, Beverly Hills	Head Licence St George Junior Rugby League Inc. Sub Licence Kingsgrove Colts	TBC	TBC	TBC
5	Renown Reserve Rugby League Canteen, Changerooms and Storeroom 28 Mountbatten Street, Oatley	Head Licence St George Junior Rugby League Inc. Sub Licence Renown United Football Club	TBC	TBC	TBC

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
6	Riverwood Park Rugby League Canteen, Changerooms and Storeroom 79 Coleridge Street, Riverwood	Head Licence St George Junior Rugby League Inc. Sub Licence Riverwood Legion Junior Rugby League Football Club	TBC	TBC	TBC
7	Todd Park Rugby League Canteen, Changerooms and Storeroom 342 Princes Highway, Blakehurst	Head Licence St George Junior Rugby League Inc. Sub Licence Kogarah Cougars	TBC	TBC	TBC
8	HV Evatt Park Shared Amenities Canteen, Changerooms and Storeroom 1116 Forest Road, Lugarno	Seasonal Head Licence St George Junior Rugby League Inc. Sub Licence Penshurst RSL Kookaburras	TBC	TBC	TBC
9	HV Evatt Park Shared Amenities Canteen, Changerooms and Storeroom 1116 Forest Road, Lugarno	Georges River Rugby Club	TBC	TBC	TBC
10	HV Evatt Park Shared Amenities Canteen, Changerooms and Storeroom 1116 Forest Road, Lugarno	Seasonal Licence St George Junior Baseball Club	TBC	TBC	TBC
11	Riverwood Park Rugby Union Canteen, Changerooms and Storeroom 79 Coleridge Street, Riverwood	Oatley Rugby Union Club	TBC	TBC	TBC
12	Harold Fraser Oval Cricket Canteen, Changerooms and Storeroom 276 Princes Highway, Kogarah Bay	Seasonal Head Licence St George District Cricket Club Inc. Seasonal Sub Licence St George Sutherland Women's Cricket Club	\$539	\$2,151	31/05/2025
13	Olds Park Cricket Storeroom Olds Park, 630 Forest Road, Penshurst	Head Licence St George Australian Football Club Incorporated (AFL) Sub Licence Penshurst West Youth Cricket Club	TBC	TBC	TBC
14	Olds Park AFL Clubhouse, Canteen and Amenities Building Olds Park, 630 Forest Road, Penshurst	Head Licence St George Australian Football Club Incorporated (AFL) Seasonal Sub Licence St George District Cricket Club	TBC	TBC	TBC
15	Olds Park AFL Storeroom Olds Park, 630 Forest Road, Penshurst	Head Licence St George Australian Football Club Incorporated (AFL) Sub Licence Penshurst RSL Panthers Junior AFL	TBC	TBC	TBC
16	Olds Park Little Athletics Canteen, Changerooms and Storeroom Amenities Building Olds Park, 630 Forest Road, Penshurst	Head Licence St George Little Athletics Seasonal Sub Licence to Football St George	TBC	TBC	TBC
17	Olds Park Soccer Storeroom Olds Park, 630 Forest Road, Penshurst	Head Licence St George Little Athletics Sub Licence Football St George Sub Licence Penshurst West Football Club	TBC	TBC	TBC

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
18	Olds Park Soccer Changeroom and Storeroom Olds Park, 630 Forest Road Penshurst	Head Licence Football St George Sub Licence Penshurst West Football Club	\$539	\$250	31/05/2025
19	Charles Pirie Reserve Soccer Canteen, Changerooms and Storeroom 15r Parkside Drive, Kogarah Bay	Head Licence Football St George Sub Licence Carss Park Football Club	\$539	\$3,061	31/05/2025
20	Claydon Reserve Soccer Canteen, Changerooms and Storeroom 49 Ramsgate Road, Sans Souci	Head Licence Football St George Sub Licence Sans Souci Football Club	\$630	\$2,070	31/05/2025
21	Gannons Park Reserve Soccer Canteen, Changerooms and Storeroom 11p Kara Lane, Peakhurst	Head Licence Football St George Sub Licence Forest Rangers Football Club	\$539	\$3,061	31/05/2025
22	Gannons Park Reserve Soccer Canteen, Changerooms and Storeroom 11p Kara Lane, Peakhurst	Head Licence Football St George Sub Licence Lugarno Football Club	\$539	\$2,061	31/05/2025
23	Harold Fraser Oval Soccer Canteen, Changerooms and Storeroom 276 Princess Highway, Kogarah Bay	Seasonal Head Licence Football St George Seasonal Sub Licence Carlton Rovers Football Club	\$539	\$2,169	31/05/2025
24	Oatley Park Oval Soccer Canteen, Changerooms and Storeroom 1 Dame Mary Gilmore Drive, Oatley	Head Licence Football St George Sub Licence Oatley West All Saints Football Club	\$518	\$1,389	31/05/2025
25	Peakhurst Park Soccer Canteen and Storeroom 5a Hedley Street, Riverwood	Head Licence Football St George Sub Licence Peakhurst United Football Club	\$539	\$3,036	31/05/2025
26	Peakhurst Park Soccer Canteen, Changerooms and Storeroom Synthetic 5a Hedley Street, Riverwood	Football St George	\$539	\$2,541	31/05/2025
27	Poulton Park Soccer Canteen, Changerooms and Storeroom 9 Morshead Drive, Connells Point	Head Licence Football St George Sub Licence Connells Point Rovers Football Club	\$518	\$3,082	31/05/2025
28	Renown Reserve Soccer Canteen, Changerooms and Storeroom 28 Mountbatten Street, Oatley	Head Licence Football St George Sub Licence Oatley Football Club	\$576	\$2,114	31/05/2025
29	Beverly Hills Park Soccer Canteen, Changerooms and Storeroom 199 Vanessa Street, Beverly Hills	Head Licence Football St George Sub Licence Hurstville Minotaurs Football Club	TBC	TBC	TBC
30	Carss Park Flats Soccer Canteen, Changerooms and Storeroom 74 Carwar Avenue, Carss Park	Head Licence Football St George Sub Licence Hurstville Zagreb Football Club	TBC	TBC	TBC

No.	Address	Lessee / Licencee / Occupant	Annual Rent (excl. GST)	Annual Subsidy	Contract Expiry Date
31	Gifford Park Soccer Temporary Amenities	Football St George Sub Licence Hurstville Glory FC for Summer 2023/24 sporting season	\$539	\$2,581	31/05/2025
32	Riverwood Park Storeroom 79 Coleridge Street, Riverwood	Oatley Rugby and Sporting Club	1,750	\$5,250	31/05/2025
33	Olds Park Netball Storeroom Olds Park, 630 Forest Road, Penshurst	Vacant	\$0	TBC	TBC
34	Gannons Park Reserve Canteen and Storeroom 11p Kara Lane, Peakhurst	Vacant	\$0	TBC	TBC
35	The Green Football Canteen, Changerooms and Storeroom 2 Merriman St, Kyle Bay	Head Licence Football St George Sub Licence Oatley Football Club	\$0	TBC	31/05/2025
Total:			\$10,158	37,301	

Note: Annual Subsidy based on available Market Valuation

Item: COM022-24 **Georges River Council Public Art Policy for Adoption**
Author: Coordinator Cultural Services
Directorate: Community and Culture
Matter Type: Committee Reports

RECOMMENDATION:

1. That Council adopts the revised draft Georges River Council Public Art Policy after a period of public exhibition.

EXECUTIVE SUMMARY

1. The draft Georges River Council Public Art Policy (the Policy) provides a framework for the acquisition, assessment, development, and management of public art in the Georges River local government area.
2. On 22 April 2024 Council approved the revised draft of the Policy to be placed on public exhibition for a period of no less than 28 days, and that the feedback received as well as any recommended changes to the draft Policy be reported to Council (COM011-24 / CCL022-24).
3. Following public exhibition from Monday 29 April to Monday 27 May 2024, no feedback was received and accordingly no further changes to the draft Policy are recommended.
4. The proposed final version of the draft Policy is attached to this report for approval.

BACKGROUND

5. The revised draft of the Policy was developed in consultation with Council officers from Strategic Placemaking, City Technical Services, Community Capacity Building, Governance and Risk, and Development and Building. Consultation was also conducted with two key stakeholder groups, the Aboriginal and Torres Strait Islander Committee and the Public Art Advisory Panel.
6. The revised draft Policy includes changes that make the document easier to read and understand, in line with Council's commitment to customer experience and accessibility, as well as providing an effective framework for engaging artists and community members to create meaningful public art outcomes, including appropriate consultation with Aboriginal and Torres Strait Islander People.
7. The revised draft also includes new content to ensure the Policy remains consistent with the aims of recent Council and sector policies such as Georges River Council's Disability Inclusion Action Plan (2022-2026), Social Justice Charter (2022-2026), Revive: Australia's Cultural Policy (2023-2028) and NSW Arts, Culture and Creative Industries Policy - Creative Communities (2024-2033).

RESULTS OF PUBLIC EXHIBITION

8. From Monday 29 April to Monday 27 May 2024, the revised draft Policy was placed on public exhibition via Council's Your Say page. During this time there were 61 total visits to the Your Say Public Art Policy webpage. Zero feedback submissions were received during the public exhibition period.
9. Accordingly, no further changes to the draft Policy are recommended.

FINANCIAL IMPLICATIONS

10. Council's public art program is delivered within budget allocation. The revised draft Policy maintains the existing funding thresholds and processes for public art related to capital works programs and development in Georges River local government area:
 - (a) Council capital works projects valued at \$1 million or more require a minimum one per cent of total costs being allocated to public art and these projects are subject to existing budget approval processes; and
 - (b) All commercial, public administration, retail and mixed-use property developments valued at \$5 million or more require a minimum of one per cent of total costs being allocated to public art.

RISK IMPLICATIONS

11. An operational risk was identified regarding inconsistent interpretation or application of the Policy leading to unauthorised or inappropriate public art. The revised draft Policy reduces this risk by providing clauses that are easier to read, understand and implement.
12. A reputational risk to Council has been identified should Council not approve the revised draft Policy for public exhibition. Council's commitment to deliver public art projects to create socially and culturally connected communities is included in Pillar 1 of the Community Strategic Plan as well as the Create Georges River Cultural Strategy.

COMMUNITY ENGAGEMENT

13. The draft Policy was developed in consultation with the Public Art Advisory Panel and the Aboriginal and Torres Strait Islander Advisory Committee.
14. Community engagement was conducted via Council's Your Say webpage from Monday 29 April to Monday 27 May 2024.
15. The public exhibition of the Policy was promoted via Georges River Council's Community eNewsletter, YourSay eNewsletter, the Hurstville Museum & Gallery's eNewsletter and Council's social media platforms.

FILE REFERENCE

D24/145569

ATTACHMENTS

Attachment [↓](#)1 Revised Draft Public Art Policy 2024





Public Art Policy

DRAFT

April 2024

Policy administration

Dates	Policy approved xx/xx/xxxx (date to be added by Policy Specialist) This policy is effective upon its approval. Policy is due for review August 2026
Approved by	Council Meeting xx/xx/xxxx Council Resolution xxx
Policy Type	<input type="checkbox"/> Executive Policy <input checked="" type="checkbox"/> Council Policy
Exhibition Period	29 April 2024 to 27 May 2024
Policy Owner	Manager Cultural Engagement and Library Services
Related Documents	Create Georges River Cultural Strategy 2019 Public Art Implementation Plan 2020 – 2025 Public Art Guidelines for Developers Public Art Advisory Panel – Terms of Reference Economic Development Strategy 2018-2022 Open Space, Recreation and Community Facilities Strategy Disability Inclusion Action Plan (DIAP) 2022-2026 Georges River Development Control Plan 2021 Social Justice Charter 2022-2026 Graffiti and Posters Policy
References & Legislation	This policy should be read in conjunction with related legislation, planning controls, codes of practice, relevant internal procedures as listed below: <ul style="list-style-type: none"> • <i>Local Government Act 1993</i> • <i>Copyright Act 1968</i> • <i>Copyright Amendment (Moral Rights) Act 2000</i>
Document Identifier	Policy #: Allocated by Senior Policy Specialist once policy is approved (includes the version number) Doc #: D24/808708
Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.
Record Keeping	All documents and information obtained in relation to the implementation of this policy will be kept in accordance with the NSW State Records Act 1998, Georges River Council's Corporate Records Policy and adopted internal procedures.

Purpose

Georges River Council supports the provision of public art across our local government area (LGA). Council identifies that public art has the ability to contribute to an improved sense of connectivity and identity. This Policy (and [Public Art Guidelines for Developers](#)) provides a strategic framework for the acquisition, assessment, development and management of public art in the Georges River LGA in accordance with community needs, industry best practice, and Council's *Create Georges River Cultural Strategy*.

It establishes the key principles and criteria for informed, transparent, and high-quality decision-making when developing, approving, or declining proposed public art projects.

This Policy enables Council to develop, facilitate and support an ongoing program of public art for the LGA that reflects the area's unique character and cultural heritage, and ensures the ongoing care and maintenance of public artworks within the Georges River LGA.

Scope

This Policy applies to all public art projects located, or proposed, in the public space within the Georges River LGA created in collaboration with Council. In addition, the Policy serves as a guide to developers, State Government, organisations, community groups and individuals who are submitting public art projects for Council's consideration.

This Policy does not apply to memorials or plaques, non-commissioned or unauthorised art and/or design including but not limited to: graffiti; private art; community and political signage.

Public art is diverse and complex by nature. A whole-of-Council approach is integral to the successful development, delivery, promotion, and maintenance of public art. A coordinated approach ensures that public artworks are relevant, meaningful, and appropriate.

This policy should be considered when:

- a new stand-alone public art project is being considered;
- capital works are developed on land owned or managed by Council;
- conceptualising major infrastructure projects i.e. architecture, urban design, open space and landscape (including both private and public sector development projects);
- developing major events and festivals;
- development applications for public art are considered through the Development Control Plan;
- asset and maintenance plans for infrastructure are created or renewed; and
- new relevant policy/planning documents or strategies are created or reviewed.

Definition of Terms

Term	Meaning
Access to the arts	Public art is the most accessible art form. Giving the community access to high quality arts experiences. Ensuring everyone in the community has the opportunity to enjoy public art.
Deaccession	A formal process for the removal of an artwork through either selling or disposing of it and thereby removing it and associated documentation.
Excellence	Artworks which have been well executed in design of concept and application of technique/s and are appropriately created for the scale of the project brief. Excellence in public art requires careful planning, appropriate strategies, and attention to detail.
Indigenous Cultural Intellectual Property (ICIP)	The term ICIP refers to all the rights that Indigenous people have, and want to have, to protect their traditional arts and culture, which includes songs, music, dances, stories, ceremonies, symbols, languages and designs.
Integrated Public Art	Artworks which are integrated as part of buildings, landscapes, and public spaces. It can include seating, paving, lighting, unique furniture, architecture detailing, interpretive signage and playground features.
Place-making	A multifaceted approach to activating or regenerating public space to support community wellbeing through building a strong sense of local place and identity through public art.
Public Art	<p>Public art refers to art in any medium that has been planned and executed with the specific intention of being sited, performed, or staged in the public space. It may be a commissioned work by professional artist/s or a community inspired collaboration between artist/s, multi-disciplinary teams, and members of a community. Commonly, there are three types of public art:</p> <ul style="list-style-type: none"> • Ephemeral: any art form that is transitory, changing and exists for a brief time in the public space. Ephemeral works may include art that brings life, fun and interest to public spaces and events such as pop-up events, street art, artistic interventions, multimedia, performance, music, new media, and technologies. • Temporary: any work that has a limited life such as a project or special event that is less than five years. Temporary works may have a longer than anticipated life span and can remain on display as long as it remains in good condition and its artistic integrity remains. Temporary works may include art such as light and sound installation, land and environmental art, murals, and kinetic art. • Permanent: any work that is permanently sited in the public space to last over 5 years and has a lifespan of at least 20 years. Permanent works may include art such as visual



	markers and entrance gateways, sculptures, architectural and urban design elements, facades, functional forms such as paving, fencing, and public space furniture to sound and light installations.
Public space	The collective, communal part of urban areas, with shared access for all. It is the space of movement, recreation, gathering, events, contemplation, and relaxation. Both indoor and outdoor spaces that are accessible to the public including parks, waterways and foreshores, plazas, streetscapes, buildings, and the public space.
Public Art Advisory Panel	A group of individuals with professional knowledge and specialist expertise who provide advice on public art projects and are responsible for evaluation of public art proposals valued over \$50,000.
Site Specific	Artwork created for a particular location that is informed by the environmental, social, cultural and/or historical significance of the area.

Policy Statement

1. Context

- 1.1. Culture and landscape are fundamental to shaping our LGA, and are inherently linked with memory, meaning, and identity.
- 1.2. This Public Art Policy relates to both physical and tangible art interventions, as well as more intangible creative processes and dialogue in ‘artmaking’. It considers making new connections and seeking answers through collaboration and a combination of multiple viewpoints to achieve unified civic, social, cultural, economic, and environmental solutions.
- 1.3. This Policy also advocates that Council adopt an inclusive process to use public art as a tool to engage all stakeholders in making sure the area's places remain vibrant, attractive, and useable, yet respect and enhance local character.
- 1.4. This Policy is aligned with the policies and strategies of Georges River Council, NSW State Government and Federal Government:
 - Better Placed (Government Architect NSW, 2017): a design policy outlining an integrated design-led approach for New South Wales. These place sensitive standards advocate for integrated design as an essential component and skill that should be utilised in planning and development processes.
 - Our Greater Sydney 2056 South District Plan (Greater Sydney Commission, 2018): guiding priority that “arts and culture promote active participation in community life and are critical to the creation of vibrant local centres, streets and open spaces”.

- Georges River Community Strategic Plan 2022-2032: which has a defining community vision of “naturally connected to place, community and Country”.
- Create Georges River (2019): which outlines the development of this Public Art Policy for the LGA to support the development of “interesting and creative public domain spaces”; and increase opportunities for art to inform the LGA’s “identity and legibility”.
- The Georges River Local Strategic Planning Statement 2040 including the Draft Commercial Centres Strategy 2019 (which will inform amendments to the LEP in 2022): which promotes cultural and arts programs and/or festivals, and the establishment of arts/creative industries, especially in strategic centres, to foster a sense of greater community identity.
- Georges River Development Control Plan 2021: which provides detailed guidelines for the design and assessment of proposed developments.
- Disability Inclusion Action Plan (DIAP) 2022-2026 which aims to ensure all people with disability and diverse needs have every opportunity to fully participate in and enjoy the social, business and community life of Georges River.
- Revive: Australia’s Cultural Policy (2023 – 2028): a 5-year plan to renew and revive Australia’s arts, entertainment, and cultural sector, following the most difficult period for the sector in generations.
- Social Justice Charter 2022-2026: this document aims to drive social change and to improve the lives of our community by building a culture of access and participation, respect, connection and empowerment, and equity for everyone.
- Arts, Culture and Creative Industries Policy - Creative Communities: an inclusive 10-year policy that supports artists, creatives and cultural organisations and includes, the rapidly growing creative industries.
- NSW Public Art Toolkit (2023): developed to help NSW Government agencies and local councils apply best proactive principles to planning, commissioning, implementing, and maintaining public art.

2. Statement and Principles

- 2.1. This Public Art Policy (and [Public Art Guidelines for Developers](#)) are built upon the following guiding statement and key principles:

Guiding Statement

- 2.2. Georges River Council aspires for public art to be an everyday experience that expresses the community’s unique attributes, culture, heritage, and people. Public art contributes to the creation and vibrancy of the local area’s public spaces and

landscapes for the enjoyment of residents and visitors. It elevates the visual profile of our places and provides insight into our cultural life and community values.

Key Principles

2.3. Reflect, respect, and empower our local community

Public art reflects and empowers our communities to have a voice, and actively shapes the future of a place. Public art plays a role in supporting the social, economic, and spiritual wellbeing of our communities through building strong social capital and exchange, exploring ideas and encouraging curiosity, interaction and provoking healthy debate. Opportunities for engagement between commissioned artists and the community ensures that public art is relevant and meaningful to the site and audience. By actively encouraging connections, community members become involved in making, designing, creating, and delivering artworks people are connected to.

2.4. Enhance the liveability and distinctiveness of our LGA

Public art introduces opportunities for people to meet, converse, and be inspired by our centres, reflecting our unique natural and built environment, history, culture, values and lifestyle. Public art creatively activates our public spaces and is a key component of our place-making.

2.5. Create key partnerships and collaborations to produce high quality public art

Successful public art projects that align with Council strategies and major capital works require partnership and collaboration with a range of stakeholders including arts organisations, artists, developers, and State and Federal government.

2.6. Recognise the depth and breadth of contemporary public art practice

Public art includes a diverse range of styles and practices across a wide range of media. Council intends to provide opportunities for emerging and established artists to promote diversity in public art within the LGA. Council acknowledges that public art can generate discussion, debate, and differences of opinion, and will not shy away from challenging topics.

2.7. Create opportunities for artists at all levels

Cultural development, training and mentor programs support local artists of all walks of life to build skills and experience in creating public art. Council will work to provide pathways for our local network of artists to build experience in public space and art activities.

Opportunities for artists to be engaged in creating public art are advertised and promoted at a local, state, national and/or international level where appropriate. Open calls will be offered as a preferred means of attracting diverse artists.

2.8. Promote accessibility and inclusion

Council's commissioning processes and programs are designed to be as accessible as possible. Public art must reflect the vibrant diversity of its community.

The input and guidance of Aboriginal and Torres Strait Islander communities are considered an essential component and Aboriginal and Torres Strait Islander artists should be sought for commissioned work and strongly encouraged to apply for opportunities to increase the visibility of culture within the LGA.

Public art initiatives comply to the principles outlined in:

- Council's Disability Inclusion Action Plan (DIAP) 2022-2026, section 2.7 which actively invites and supports the participation of people with disability through community programs and events.
- Social Justice Charter 2022-2026, embracing the principles of participation, equity, and respect through public art commissions.

3. Process

- 3.1. Broadly, culture plays a crucial role in helping to build a more sustainable community and contributes to the connectedness, vitality, and liveability of the Georges River LGA.
- 3.2. The role of public art in urban design, placemaking and activation is widely recognised for its ability to enliven spaces, contribute to a positive sense of place, and reinforce a range of social, cultural, economic, environmental and heritage values particular to the Georges River LGA.
- 3.3. This policy reflects the key directions identified in Council's vision, plans and strategic priorities. It also outlines a position and approach to public art that is flexible to ensure outcomes can respond appropriately to the changing development of the Georges River LGA and the broader community.
- 3.4. Council plays a key role in the development of public spaces and as such holds the key to including public art in its many forms, whether through direct commissions, in partnership with other tiers of government and/or the private sector, or through community driven initiatives.
- 3.5. This policy presents a collaborative, integrated methodology to be implemented across Council, community, and the private sector to support and promote public art.
- 3.6. This includes mechanisms for Council to facilitate and encourage artists to work in multidisciplinary teams in the development of projects that shape and redesign Georges River's built environment and public space, and to promote the inclusion and integration of site-specific public artworks within major developments (via planning controls and agreements) that make a positive contribution to the urban environment and add to the cultural dimension of the LGA.
- 3.7. Removal, relocation, alteration, and deaccessioning processes may be initiated when an artwork is no longer considered appropriate; the use of the site has changed; the artwork has become unsafe to the public; the artwork has

deteriorated beyond repair; the artwork has deteriorated so that it no longer represents the artist's intent; and/or the artwork's integrity cannot be maintained for any reason. Deaccessioning includes removal from public space. Upon initiation of removal, relocation, alteration, and deaccessioning of artwork, Council will endeavour to consult with the artist or artist's estate.

3.8. Council commits to:

- the adoption of a best practice approach to planning, implementation and delivery of public art;
- the development of high quality and original public art projects as an integral part of the urban fabric and community life of the LGA;
- instilling a culture of creativity that values the contribution of artists and includes public art outcomes across a range of cross functional Council plans, strategies and work areas;
- encouraging innovative approaches and responses to public places and promoting civic engagement and community interaction;
- promoting the integration of public art into new developments via the implementation of statutory planning controls and agreements;
- securing adequate resources to build and maintain a collection of public artworks through:
 - a) Council's capital works program and/or operational budgets
 - b) Private sector contributions and sponsorships
 - c) Public funding for projects and in-kind support from the community;
- implementing a regular public art maintenance program that safeguards and assists in identifying the life expectancy of our public art assets; and
- adhere to appropriate protocols, and endeavour to engage with expert and informed voices, those with local knowledge, lived experience, and those with national and international experience and expertise on the development and implementation of public art. Expert advice and tailored guidance is sought based upon the requirements of specific sites, works and commission concepts.

4. Governance and Implementation

- 4.1. The Public Art Policy is supported by the [Public Art Guidelines for Developers](#) that outline a consistent whole-of-Council approach to the commissioning, acquisition, donation and management of public art across the Georges River LGA that must be adhered to by staff and is to be used as the best practice basis for Council's approach to public art.

- 4.2. Public art projects under \$50,000 will be implemented as a part of Council's ongoing Public Art Program and will be determined and approved by Council's Community and Culture staff as a standard part of operational activity, in accordance with Georges River Council's delegations.
- 4.3. For public art projects over \$50,000, the **Public Art Advisory Panel** will help guide the delivery of major public art initiatives with the Georges River LGA.
- 4.4. The Public Art Advisory Panel will be selected based on the following criteria:
- professional art expertise;
 - knowledge of contemporary public art applications and issues; and
 - experience in art, art curatorship, art policy, architecture and/or design disciplines.
- 4.5. Where appropriate, advisers (internal/external) with specialist expertise relevant to the project brief will be temporarily co-opted to the panel to assist decision making.
- 4.6. The Public Art Advisory Panel will consist of up to seven external members and be subject to a Terms of Reference that articulate their role to:
- assist in steering the delivery of public art across the LGA, including advice and assessment;
 - ensure effective consultation across Council and the community regarding public art initiatives; and
 - facilitate Council's transition to the integration of public art approaches in capital works program and the development of public art developer program.
- 4.7. For public art projects costing \$50,000 to \$250,000, recommendations from the **Public Art Advisory Panel** on the development of public art proposals/projects (and the selection of curators and artists) will be submitted to the Director Community and Culture in accordance with Georges River Council's delegations and Procurement Policy.
- 4.8. For public art projects over \$250,000, Council will have final approval of the artwork/s in accordance with Georges River Council's Procurement Policy, based on the recommendation/s of the **Public Art Advisory Panel**.
- 4.9. The **Public Art Advisory Panel** will also have a role in recommending approvals of public artwork/s undertaken by developers as part of public art development controls in the Development Control Plan.
- 4.10. Other directorates of Council shall adopt the guiding principles in this Policy and shall first consult with Community and Culture staff and as required the **Public Art Advisory Panel** to facilitate broader public art delivery. The strategic basis for public art projects will be determined in line with this Policy and public art project briefs will be developed in consultation with all key stakeholders.

- 4.11. Public art project briefs will guide artists in the development of public artworks. These project briefs will outline overarching themes, timeframes, and site requirements that public art proposals must respond to. Where appropriate, community consultation will take place as part of the development of a public art project brief, in order to inform any overarching themes for the public art project.
- 4.12. When developing strategic Master Plans and Plans of Management involving capital works programs, Council shall include public art in the scope of works and budget where feasible and factor the maintenance of these items into existing budgets. For Capital Works projects over \$1 million, a minimum of 1% of the total cost of the project is to be allocated for public art.
- 4.13. From time to time, Council will receive proposals for public art projects from external organisations, including developers. Major developments (commercial, public administration, and retail development) and mixed-use developments valued at \$5 million or more, must include public art as part of the development. A minimum of 1% of the total cost of the development is to be allocated to the public art budget. Developers must refer to the Georges River Council [Public Art Guidelines for Developers](#), as outlined in Georges River Council Development Control Plans, to determine any requirements they may have for including public art in new developments, and to review what constitutes public art.
- 4.14. Council commits to an ongoing maintenance program for all Council led public artworks. As part of the commissioning process for permanent public art works, a detailed maintenance plan is to be provided and an expected life span specified. At the end of the expected life span, or if a work becomes significantly damaged, Council will assess the work's suitability for decommissioning.
- 4.15. ICIP is considered by Council if a public artwork is by an Aboriginal or Torres Strait Islander artist or the public artwork incorporates, is sourced from, or refers to, Indigenous objects, knowledge or works. Permission will be obtained from the Traditional Custodians and/or relevant Aboriginal or Torres Strait Islander representative bodies before commissioning, accessioning, altering, removing, relocating or deaccessioning Indigenous objects, knowledge, or artworks. Traditional Custodians and/or relevant Aboriginal or Torres Strait Islander representative bodies will be consulted with regard to how the community should be attributed to and given the opportunity to approve the way in which any ICIP material is used. Consultation will be undertaken in accordance with any documented Cultural Protocols that Council has committed to follow.

5. Criteria

- 5.1. Each public art project will be assessed on its merit.
- 5.2. Evaluation and approval of public art proposals developed by Georges River Council, the private sector, other public authorities, individuals, and other groups within the LGA will be based on the following criteria:

- a) Reflects excellence in contemporary art practice and standards of high quality.
- b) Presents creative, original, and innovative ideas.
- c) Appropriateness to the context of the project brief, site, and community.
- d) Technical feasibility and ability to successfully realise the proposal/work.
- e) Consideration of public safety and the public’s access to and use of the public space.
- f) Relevance to the strategic objectives and actions of Georges River Council.
- g) Consistency with current Georges River Council plans, policies, and procedures.
- h) Maintenance and durability requirements.
- i) Value for money.

Responsibilities

The Public Art Policy (and [Public Art Guidelines for Developers](#)) will be monitored and implemented by Council’s Cultural Engagement and Library Services team with support from other Council directorates. Compliance with the provisions of this policy, and any relevant guidelines, is mandatory.

Position	Responsibility
Council	<ul style="list-style-type: none"> • Decision making on the outcome of tender submissions relating to public art. • Approval for public art expenditure as part of Council's annual budget process.
General Manager	<ul style="list-style-type: none"> • Make recommendations to Council on the allocation of funds. • Approval of public art projects under the tender threshold.
Director Community and Culture	<ul style="list-style-type: none"> • Implementation, application, and review of policy across the organisation. <ol style="list-style-type: none"> 1. Approval of public art projects under the tender threshold (where delegated).
Manager Cultural Engagement and Library Services	<ul style="list-style-type: none"> • Application of policy across Community and Cultural Development department. • Update the Public Art Policy when necessary. • Oversee the implementation of Public Art Programs. <ol style="list-style-type: none"> 1. Investigate breaches and enforce compliance.
Coordinator Cultural Services	<ul style="list-style-type: none"> • Management of the Public Art Advisory Panel. <ol style="list-style-type: none"> 1. Advice on Public Art Policy and Public Art Guidelines for Developers.



Public Arts Officer	<ul style="list-style-type: none"> • Implementation of Public Art Programs. <ol style="list-style-type: none"> 1. Meetings of the Public Art Advisory Panel.
Public Art Advisory Panel	<ul style="list-style-type: none"> • Provide specialist advice and expertise on public art. • Strategically consider and makes recommendations to Council officers and/or Council on public art projects. <ol style="list-style-type: none"> 1. Conflicts of Interests.

Version Control and Change History

Version	Amendment Details	Policy Owner	Period Active
1.0	Complete new Georges River Council Public Art Policy	Manager Community and Cultural Development	20/04/2020 – 20/08/2021
1.1	Links added throughout policy to recently approved <i>Public Art Guidelines for Developers</i> .	Manager Community and Cultural Development	20/08/2021 - ongoing

DRAFT

Item: **COM023-24 Adoption of the draft Georges River Council Community Lease and Licence Policy**

Author: Coordinator, Programming and Operations

Directorate: Community and Culture

Matter Type: Committee Reports

COM023-24

RECOMMENDATION:

- (a) That Council adopt the draft Georges River Council Community Lease and Licence Policy following the public exhibition period.
- (b) That the General Manager be delegated authority to make minor administrative changes to the Policy, if required.

EXECUTIVE SUMMARY

1. On 24 May 2024, Council endorsed the draft Georges River Council Community Lease and Licence Policy for the purpose of public exhibition for the period of no less than 28 days (CCL035-24).
2. Throughout the public exhibition period from 31 May 2024 to 1 July 2024, Council received a total of 45 visits to the draft Georges River Council Community Lease and Licence Policy Your Say webpage. Zero feedback submissions were received during the public exhibition period.
3. The purpose of the revised Georges River Council Community Lease and Licence Policy (Policy) is to provide an improved governance framework through which Council can determine the eligibility of community organisations to occupy Council owned and managed land and buildings in an equitable and transparent manner and in accordance with relevant legislative requirements (**Attachment 1**).
4. Feedback received from consultation with internal Council business units during the period of public exhibition resulted in minor changes to the Georges River Council Community Lease and Licence Policy. These changes are outlined in this report.

BACKGROUND

5. The review of the current Policy was a key action following the Community Lease Audit conducted in August 2023, that once adopted, will enable Council to develop a plan including timeframes to ensure that Council's community property portfolio has up to date lease or licence agreements.
6. The types of Council properties included in this draft Policy including but not limited to community centres, scout and girl guides halls, baby health centres and parks/sports fields amenities.
7. The Policy review period and subsequent change with directorate responsibility, combined with the new legislative requirements have required a comprehensive review of the existing adopted Policy.
8. Furthermore, the review of this policy was conducted in alignment with the commitments enshrined in Council's Customer Experience Charter to:
 - (a) Ensure information, resources and services are accessible to all; and
 - (b) Actively strive to continuously improve based on customer feedback.

9. Although there was no feedback received from the community during the public exhibition period, feedback received from consultation with internal Council business units during the period of public exhibition resulted in minor changes to the Georges River Council Community Lease and Licence Policy. These were:
 - (a) Inclusion of mandatory criteria in relation to public liability insurance.
 - (b) Inclusion of Council's stance on the safety and rights of children and young people within our community.
 - (c) Regarding exemptions from public notice requirements, alignment with wording from the Local Government Act (47A) *Leases, licences, and other estates in respect of community land – terms of 5 years or less.*
 - (d) Amendments to Responsibility section of the Policy to align with Council's existing delegations.
 - (e) Addition of related Council documents including Council's Grants and Donations Policy, Customer Feedback and Complaints Management Policy.
 - (f) Update of the Policy template.
 - (g) Typographical and formatting updates.
10. Council's current Community Property Portfolio comprises of 75 properties that are leased to not-for-profit community organisations and sporting clubs/associations. Properties are managed under a Lease or Licence agreement, with part of the portfolio on historical agreements or expired agreements.
11. There are an additional 3 synthetic sporting fields that are on expired Management Agreements, operating on a business-as-usual agreement until determination has been made on the future of these facilities.
12. During the past 12 months, Council has seen increased interest from not-for-profit organisations in relation to upcoming community properties to lease or licence. Each organisation has expressed a desire to address pressing issues that impact the community, including but not limited to youth services, support for First Nation People and initiatives aimed at combating domestic violence against women and children.

FINANCIAL IMPLICATIONS

13. No budget impact for this report.
14. Council's Community Property portfolio received a total annual income of \$155,103 (excluding GST) for 2023/24 financial year.
15. An annual rental subsidy of \$1,092,372 (excluding GST) is applied across Council's Community Property portfolio based on current market rental rates. Subsidies are determined in accordance with Council's Community Lease Policy.

RISK IMPLICATIONS

16. There is potential for risk of misuse of Council owned/controlled lands should this draft Policy not be adopted.
17. Without this Policy, Council Officers are unable to progress actions from the Community Lease Audit 2023 and bring all properties within the Community Property Portfolio onto a current lease/licence agreement.
18. There is potential for inconsistency across the Community Property Portfolio including poor customer service resulting in escalations from customer complaints without this draft Policy.

19. The draft Policy also articulates that Council will not support (in the granting of a lease, licence, or other estate) any organisations, activities, entities, or individuals associated with entities, that are considered to:
- (a) discriminate, or encourage discriminatory behaviour, including discrimination on the basis of age, disability, race, religion, sex and/or sexual orientation;
 - (b) contribute to, or advocate for, the infringement of human rights;
 - (c) demonstrate behaviour that does not align with Council's strategic direction;
 - (d) pollute land, air or water, or otherwise damage the natural environment;
 - (e) produce, promote or distribute products or services likely to be harmful to the community;
 - (f) exploit people through the payment of below-award wages or poor working conditions including any forms of modern slavery;
 - (g) contribute to, or advocate for, the infringement of the safety and rights of children and young people within our community; and
 - (h) represent a reputational risk for Georges River Council to partner with or support or be seen to partner with or support.

COMMUNITY ENGAGEMENT

20. Community engagement was conducted including:
- (a) Councillor Briefing on 2 April 2024; and
 - (b) Placed on public exhibition on Council's Your Say website from 31 May 2024 to 1 July 2024 with a total of 45 visits to the draft Georges River Council Community Lease and Licence Policy Your Say webpage. Zero feedback submissions were received during the public exhibition period.

FILE REFERENCE

D24/166339

ATTACHMENTS

Attachment [↓](#)1 DRAFT Community Lease and Licence Policy 2024 - For Adoption





Draft Community Lease and Licence Policy

Community Facilities

Community Sporting Amenities

2024

Policy administration

Dates	Policy approved xx/xx/2024 (date to be added by Policy Specialist) This policy is effective upon its approval. Policy is due for review xx/2027 (3 years from the date the policy is approved which is the maximum review period)
Approved by	Council Meeting 22/07/2024 Council Resolution xxx
Policy Type	<input type="checkbox"/> Executive Policy <input checked="" type="checkbox"/> Council Policy
Exhibition Period	31 May 2024 - 1 July 2024
Policy Owner	Manager City Life, Community and Culture Directorate
Related Documents	<i>List supporting / related internal documents, such as other policies, associated procedures, forms, templates or guidelines</i> Georges River Council, 'Generic Plan of Management – General Community Use' 2022 Georges River Council Local Environmental Plan 2021 Georges River Council Grants and Donations Policy 2023 Georges River Council Customer Feedback and Complaints Management Policy 2023 Georges River Council Records and Information Management Policy
Appendices	Nil
References & Legislation	Crown Lands Management Act 2016 Crown Land Management Regulation 2018 Land Acquisition (Just Terms Compensation) Act 1991 Local Government Act 1993 Native Title Act 1993 (Federal Act) Property Acquisition Standards Real Property Act 1900 Roads Act 1993
Document Identifier	Policy #: <i>Allocated by Senior Policy Specialist once policy is approved (includes the version number)</i> Doc #: D24/171581
Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.
Record Keeping	All documents and information obtained in relation to the implementation of this policy will be kept in accordance with the NSW



	State Records Act 1998, Georges River Council's Corporate Records Policy and adopted internal procedures.
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Purpose

The Community Leasing and Licensing Policy (Policy) provides a framework to ensure Council has an equitable, consistent and thorough approach to the leasing and licensing of Council owned and Council managed properties for community use, whilst maximising benefit to the community. For example, community centres, baby health centre, Scout and Girl Guide halls, community gardens, and sporting amenities.

Council holds a large and varied portfolio of community and recreation properties and is committed to ensuring that tenancies are provided to community organisations in a transparent manner that is appropriate to the type of property and the proposed use. Community purpose is limited to the activities prescribed under “Community Land”.

Scope

This Policy outlines the obligations of Council under legislation and other relevant documents, such as Council’s Plans of Management (PoM), with respect to leasing and licensing of community land or otherwise for a community purpose. This Policy is relevant to registered not-for-profit community organisations, sporting organisations and clubs.

The Community Lease and Licence Policy only applies to leasing or licensing arrangements with respect to:

- a) Council owned or managed land classified as community land and categorised as either ‘general community use’, ‘park’ or ‘sportsground’ under section 36(4) of the *Local Government Act 1993* (LG Act); or
- b) Council owned land classified as operational land that is used for a community purpose.

Council owned commercial or retail properties (such as Premium Facilities including but not limited to aquatic facilities, golf courses and clubs, Netstrata Jubilee Stadium and the Norm O’Neill Cricket Centre) are excluded from consideration under this Policy.

It is noted that all commercial lease or licences owned and managed by Council outside of the scope of this Policy will be assessed and determined based on the probity principles of value for money, fairness, transparency, equity and accountability.

Definition of Terms

Term	Meaning
<i>Community Organisations</i>	Community, sporting and other organisations which are incorporated as not-for-profit organisations which prohibit private gain.
<i>Community Land</i>	Community land under the Local Government Act 1993 and Crown Lands Management Act 2016.
<i>Community Facility</i>	Any local council that is a Crown land manager of dedicated or reserved Crown land.
<i>Crown Land</i>	Land that was Crown land as defined in the Crown Lands Act 1989 immediately before the Acts repeal. Land that becomes Crown land because of the operation of a provision of the Crown Lands Management Act 2016. Land vested, on and from the repeal of the Crown Lands Act 1989, in the Crown.
<i>Crown Land Manager</i>	In relation to Crown Land, means a person appointed as a Crown land manager under Division 3.2 of the Crown Lands Management Act 2016
<i>Expressions of Interest (EOI)</i>	Where applicable, lease or licences (and other types of commercial agreements) of sporting and recreational facilities will be subject to an open and competitive public process such as tender or Expression of Interest (EOI) at the expiration of each lease or licence period. This is as per legislative requirements of the Local Government Act 1993.
<i>Ground Lease</i>	A lease over land where a tenant has constructed, at its own cost, a building on Council owned or managed land and has fully maintained that building (including structural and capital maintenance) throughout the term of the lease
<i>Lease</i>	Includes leases for exclusive use
<i>Licence</i>	Includes licence for non-exclusive use
<i>Native Title</i>	The name Australian law gives to the traditional ownership of land and waters that have always belonged to Aboriginal people according to their traditions, laws and customs. The Commonwealth Native Title Act 1993 sets out how native title rights are to be recognised and protected.

<i>Sporting and Recreational Facility</i>	Council asset or facility used primarily for sporting and recreational purposes (which may or may not be capable of supporting a commercial return)
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Policy Statement

Type of land

Community land

- 1.1. All community leases and licences will be assessed on an individual merit basis having regard to the application provided by the prospective tenant and any information independently obtained by Council, such as public register searches.
- 1.2. Council may only grant a lease, licence or other estate in respect of land classified as 'community land' under the LG Act, where it is expressly authorised by the relevant PoM and granted for a purpose prescribed by the LG Act such as:¹
 - a) to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:
 - i. in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public; or
 - ii. in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities);
 - b) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities;
 - c) to provide for passive recreational activities or pastimes and for the casual playing of games;
 - d) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management;
 - e) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games – and to ensure that such activities are managed having regard to any adverse impact on nearby residences;
 - f) for the provision of goods, services and facilities, and the carrying out of activities, appropriate to the current and future needs within the local community and of the wider public in relation to:
 - i. public recreation; or

¹ Local Government Act 1993 (NSW) ss 36E-36F, 36I

- ii. the physical, cultural, social and intellectual welfare or development of persons – which include (but are not limited to) maternity welfare centres, infant welfare centres, kindergartens, nurseries, childcare centres, family day-care centres, surf lifesaving clubs, restaurants or refreshment kiosks.
- 1.3. A lease or licence may be granted with respect to community land for:²
- a) the provision of public roads;
 - b) the provision of public utilities and works associated with or ancillary to public utilities;
 - c) the purpose of providing pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of Council or other public utility provider;
 - d) a filming project to be carried out unless: the relevant community classified land is referred to in section 47AA(1) of the LGA; or filming projects are expressly prohibited by a Plan of Management; or there is exceptional circumstances that warrant refusal;
 - e) the following events on a short-term, casual basis, if the use of occupation does not involve the erection of any building or structure of a permanent nature:
 - i. the playing of a musical instrument, or singing, for fee or reward,
 - ii. engaging in a trade or business,
 - iii. the playing of a lawful game or sport,
 - iv. the delivery of a public address,
 - v. commercial photographic sessions,
 - vi. picnics and private celebrations such as weddings and family gatherings,
 - vii. filming sessions,
 - viii. the agistment of stock.
 - f) to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on land adjoining the community land and to remove waste that is consequential on such work.
- 1.4. Council has no power to sell, exchange or otherwise dispose of community land other than for the purpose of such land becoming Crown managed land;³ and may only grant a lease, licence or any other estate in accordance with the LG Act.⁴

² *Local Government Act 1993* (NSW) ss 46(1)(b), 46(4)-(5A); *Local Government (General) Regulation 2021* (NSW) ss 116(1)-(5).³ *Local Government Act 1993* (NSW) s 45(1).

³ *Local Government Act 1993* (NSW) s 45(1).

⁴ *Local Government Act 1993* (NSW) ss 45(2)-(3).

- 1.5. Community land that is subject to a lease cannot be subleased unless it is for the same purpose as it was originally leased, or for:^{5 6}
- a) refreshment kiosks, dances and private parties are prescribed as purposes for which community land that is leased for a surf lifesaving club, or a sporting club may be sublet; or
 - b) a croquet club is prescribed as a purpose for which community land that is used as a bowling club may be sublet.
- 1.6. Exclusive occupation or use of community land other than by the holder of a lease, licence, other estate or sublease of community land is prohibited under the LG Act unless the occupation or use relates to:⁷
- a) part of the site of a senior citizens' centre or home or community care facility by a duly appointed manager of the centre; or
 - b) community land by persons, and in circumstances, prescribed by the *Local Government (General) Regulation 2021*.
- 1.7. Leases and licences for community land categorised as 'General Community Use' are authorised where:⁸
- a) commercial fitness training/coaching operator's licence agreement will be valid for a period of not less than six months and not greater than five years and will authorise each trainer to use designated public open space areas for commercial training activities on a non-exclusive basis; and
 - b) that support and encourage community use of the open space and / or address a community need are authorised subject to compatibility with Georges River Council Local Environmental Plan 2021 and core objectives.

Crown land

- 1.8. Dedicated or reserved Crown land which is managed by Council must be managed as if it were classified as community land under the LG Act (including in relation to leasing and licensing) unless such land is a public reserve.⁹
- 1.9. With respect to Crown land managed by Council, written advice from a native title manager must be obtained by Council about whether any proposed lease or licence arrangements comply with applicable provisions of the *Native Title Act 1993*.¹⁰

⁵ *Local Government Act 1993* (NSW) s 47C.

⁶ *Local Government (General) Regulation 2021* (NSW) s 119

⁷ *Local Government Act 1993* (NSW) s 47D.

⁸ Georges River Council, 'Generic Plan of Management – General Community Use' (2022), p 54.

⁹ *Crown Land Management Act 2016* (NSW) s 3.22.

¹⁰ *Crown Land Management Act 2016* (NSW) ss 8.1, 8.7(1)(a).

- 1.10. Council is only authorised to grant leases for exclusive use to another organisation, with respect to Crown land managed by Council that is subject to Council's PoM, for the purpose of public recreation or where one of the following has occurred:¹¹
- a) the land is subject to an approved determination of native title (as defined in the *Native Title Act 1993*) and native title has been found to be extinguished or not exist;
 - b) the land is land where all native title rights and interests have been surrendered under an Indigenous Land Use Agreement (as defined in the *Native Title Act 1993 (Cth)*);
 - c) the land is subject to a section 24FA protection (as defined in the *Native Title Act 1993 (Cth)*); or
 - d) any native title rights and interests have been compulsorily acquired and extinguished.
- 1.11. If Crown land managed by Council is subject to an undetermined Aboriginal land claim under the *Aboriginal Land Rights Act*, Council should not grant a lease, licence or other estate if:¹²
- a) The use of the land permitted by the proposed tenure could prevent the land being transferred to an Aboriginal Land Council (ALC) in the event that the undetermined claim is granted;
 - b) The proposed tenure could impact or change the physical/environmental condition of the land, unless Council or the tenure applicant has either written consent from the claimant ALC to use the land as per the proposed tenure, or a written statement from the ALC confirming it has withdrawn its claim or amended the land claim to exclude the proposed tenure area.

Operational land

- 1.12. The LG Act does not prescribe any restrictions on the granting of a lease, licence of other estate in respect of land classified as operational.
- 1.13. Council may grant a lease, licence or other estate under this Policy on operational land only where alignment can be demonstrated with a prescribed purpose as set out at paragraph 2.1.

Playing fields and sporting amenities

- 1.14. Access and use of Council playing fields to organisations, such as sporting clubs, are provided by way of a seasonal booking, and not by way of a lease or licence agreement.

¹¹ Georges River Council, 'Generic Plan of Management – General Community Use' (2022), p 53.

¹² Crown Land NSW, '[Granting leases and licenses on Crown Reserves](#)'.

- 1.15. Access and use of Council sporting amenities to organisations is provided by Council by way of a non-exclusive licence which includes access and use of adjacent or nearby changerooms, referee rooms and canteens, unless the licensee specifies such use is not required.
- 1.16. Licenses may be separately provided for organisations to use storage facilities adjacent or nearby to playing fields, to facilitate storage of sporting equipment during the relevant sporting off-season.
- 1.17. Multiple licenses to the same sporting amenities may be granted by Council by way of a co-sharing basis with other licensees where Council deems appropriate.

2. Duration and tendering

- 2.1. The standard term of duration on which leases and licenses are granted is five years subject to:¹³
 - a) Council's strategic plans for the relevant property, including planned or anticipated upgrade or redevelopment works;
 - b) Identified community needs for the relevant property; and
 - c) Operational requirements of Council.
- 2.2. A lease or licence with respect to community land may only be granted by tender (in accordance with section 55 of the *Local Government Act 1993*) unless granted to a not-for-profit organisation and one of the following circumstances applies.¹⁴
 - a) The nature of the land or property uniquely aligns with the service being proposed;
 - b) The nature of the service being proposed seeks to fulfill a community need which is in significant demand or otherwise short supply within the LGA;
 - c) The prospective lessee or licensee is a corporation regulated by the Office of the Registrar of Indigenous Corporations; or
 - d) The proposed lease or licence is unlikely to generate expressions of interest from more than one not-for-profit organisation.
- 2.3. Applications from a lessee or licensee under a previous Council lease or license will not be considered by Council as part of a tender process for a new community lease or licence if the previous lessee or licensee:
 - a) has previously breached the terms of a previous Council lease (such as damaging or neglecting to maintain a Council leased property);

¹³ *Local Government Act 1993* (NSW) s 46(3).

¹⁴ *Local Government Act 1993* (NSW) s 46A(3).

- b) has outstanding rent or other payables to Council;
- c) has reasonably suspected or identified insolvency risks;
- d) has breached any other relevant laws; or
- e) is a director or other office-holder of the organisation that is currently subject to an 'Unreasonable Customer Conduct Declaration' by Council's General Manager.

3. Assessment of applications for a lease or licence

- 3.1. All community leases and licences will be assessed on an individual merit basis having regard to the application provided by the prospective tenant and any information independently obtained by Council, such as public register searches.
- 3.2. In assessing a prospective tenant's suitability for a community lease or licence, the following criteria will be considered:
 - a) proof of not-for-profit status, such as being listed under the Australian Charities and Not-for-profits Commission register;
 - b) history of providing community services and working with Council;
 - c) how the proposed use of a property under a proposed tenancy seeks to respond to current and anticipated community needs, including the needs of vulnerable / disadvantaged population cohorts;
 - d) the direct and indirect community benefits likely to be generated from the proposed tenancy;
 - e) alignment between the activities from the proposed tenancy with Council strategies and applicable PoMs;
 - f) capacity to pay rent and other expenses incurred related to the tenancy as required (after any eligible subsidies are considered);
 - g) potential to align with any future plans of Council to upgrade the property pursuant to meeting community needs as identified by Council (after any relevant grants to fund such plans are considered);
 - h) consideration of past tenancy performance (if applicable); and
 - i) ability to share a facility with other licensees (if applicable).
- 3.3. Offers of capital investment by tenants, or prospective tenants, pursuant to upgrading or redeveloping a Council property (funded via external grants or otherwise), which align with Council's strategic or asset management plans for the relevant site, may be considered by Council as part of an organisation's application for a lease or licence to which this Policy applies. Such capital investment by an organisation however does not automatically secure future lease or licence tenure, as such tenure remains subject to Council assessment and competitive tender

where applicable. Any such upgrade works are to be managed by Council, as provided by any relevant agreements between the parties, unless otherwise stated.

- 3.4. Applications must be submitted using the prescribed form/s as provided by Council.

4. Other requirements

Public notice

- 4.1. If a lease, licence or other estate is proposed in respect of community land, Council must:¹⁵
- a) give public notice of the proposal (including on Council's website), and
 - b) exhibit notice of the proposal on the land to which the proposal relates, and
 - c) give notice of the proposal to such persons as appear to it to own or occupy the land adjoining the community land, and
 - d) give notice of the proposal to any other person, appearing to Council to be the owner or occupier of land in the vicinity of the community land, if in the opinion of Council the land the subject of the proposal is likely to form the primary focus of the person's enjoyment of community land.
- 4.2. The public notice must include:¹⁶
- a) information sufficient to identify the community land concerned;
 - b) the purpose for which the land will be used under the proposed lease, licence or other estate;
 - c) the term of the proposed lease, licence or other estate (including particulars of any options for renewal);
 - d) the name of the person to whom it is proposed to grant the lease, licence or other estate (if known); and
 - e) a statement that submissions in writing may be made to Council concerning the proposal within a period, not less than 28 days, specified in the notice (i.e. the submission period).
- 4.3. Any person may make a submission in writing to Council during the period specified in the notice.¹⁷ Before granting the lease, licence or other estate, Council must consider all submissions.¹⁸

¹⁵ *Local Government Act 1993* (NSW) s 47(1), 47A.

¹⁶ *Local Government Act 1993* (NSW) s 47(2).

¹⁷ *Local Government Act 1993* (NSW) s 47(3).

¹⁸ *Local Government Act 1993* (NSW) s 47(4).

- 4.4. Leases, licences or other estates granted for a period less than five years for the following purposes are exempt from public notice requirements prescribed under paragraphs 5.1-5.3:¹⁹
- a) residential purposes, where the relevant community land has been developed for the purposes of housing owned by Council,
 - b) the provision of pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of Council or other public utility provider that is situated on the community land,
 - c) use and occupation of the community land for events such as (noting restrictions prescribed by regulation 117(2) of the *Local Government (General) Regulation 2021* –
 - i. a public performance (that is, a theatrical, musical or other entertainment for the amusement of the public),
 - ii. the playing of a musical instrument, or singing, for fee or reward,
 - iii. engaging in a trade or business,
 - iv. playing of any lawful game or sport,
 - v. delivering a public address,
 - vi. conducting a commercial photographic session,
 - vii. picnics and private celebrations such as weddings and family gatherings,
 - viii. filming (noting requirements set out by section 47AA of the *Local Government Act 1993*).
 - d) any other purposes set out by regulation 117 of the *Local Government (General) Regulation 2021*

Minister's consent

- 4.5. Consent of the Minister for Local Government must be obtained by Council in instances where the proposed term (including any renewal options and holdover periods) of the lease, licence or other estate:²⁰
- a) exceeds 21 years;²¹
 - b) exceeds 5 years and a person makes a submission by way of an objection to the proposal during the submission period;²² or
 - c) is five years or less – at the Minister's discretion.²³

¹⁹ *Local Government (General) Regulation 2021* (NSW) s 117.

²⁰ *Local Government Act 1993* (NSW) ss 47(2)-(10), 47A; *Local Government (General) Regulation 2021* (NSW) s 117.

²¹ *Local Government Act 1993* (NSW) s 47(5)(b).

²² *Local Government Act 1993* (NSW) s 47(5)(a).

²³ *Local Government Act 1993* (NSW) ss 47(5)-(9), 47A(2)(c).

- 4.6. If Council applies for the Minister's consent, Council must forward with its application:²⁴
- a) a copy of the plan of management for the land.
 - b) details of all objections received and a statement setting out, for each objection, Council's decision and the reasons for its decision.
 - c) a statement setting out all the facts concerning the proposal to grant the lease, licence or other estate.
 - d) a copy of the public notice of the proposal.
 - e) a statement setting out the terms, conditions, restrictions and covenants proposed to be included in the lease, licence or other estate.
 - f) if the application relates to a lease or licence for a period (including any period for which the lease or licence could be renewed by the exercise of an option) exceeding 21 years, a statement outlining the special circumstances that justify the period of the lease or licence exceeding 21 years.
 - g) a statement setting out the manner in which and the extent to which the public interest would, in Council's opinion, be affected by the granting of the proposed lease, licence or other estate, including the manner in which and the extent to which the needs of the area with respect to community land would, in Council's opinion, be adversely affected by the granting of the proposed lease, licence or other estate.

Unsolicited proposals

- 4.7. Where an unsolicited proposal is received by Council from an organisation seeking to lease or licence Council land for a community-oriented purpose, the proposal should be recorded in a register to enable Council to inform the organisation about a future opportunity in which a lease or licence agreement may be established in accordance with this Policy.

5. Lease and licence terms

- 5.1. Leases are provided for exclusive use of Council owned or managed land and are provided on standard terms unless agreed otherwise with the prospective tenant.
- 5.2. Licences are provided for non-exclusive use of a Council owned or managed land and are provided on standard terms unless agreed otherwise with the prospective licensee.

Maintenance and utilities

- 5.3. While tenants are responsible for keeping Council buildings and associated fixtures in good working order, including costs related to utilities (such as electricity and

²⁴ *Local Government Act 1993* (NSW) s 47(6).

water) upkeep and maintenance, Council will generally be responsible for costs related to necessary structural repairs, unless such structural repairs have been necessitated due to damage attributable to the tenant – in which case the tenant will be liable for such costs.

Rent

- 5.4. Rent payable under a community lease or licence will be calculated according to market value of the property, less any applicable rental subsidy, plus outgoings and maintenance costs.
- 5.5. Rent payable under a community lease or licence must not be less than the 'minimum annual rent' as prescribed under Council's annual fees and charges.

Review of rent

- 5.6. Rent payable under a community lease or licence is recalculated annually according to the [Consumer Price Index](#) for the previous 12 months.

6. Eligibility for rental subsidy of rent payable

- 6.1. Only not-for-profit organisations which are listed on the Australian Charities and Not-for-profits Commission Charity Register are eligible for a rental subsidy in respect of being a lessee or licensee to which this Policy applies. Any subsidies for Registered Clubs will be determined by capacity to pay annual rent based on market valuation.
- 6.2. The quantum of rental subsidy that an organisation may receive (ranging from a 0% or 100% rental subsidy) is to be determined by Council through undertaking an assessment against the following criteria, which is to be scored according to the following criteria:
 - a) Community need – The demand for the community service proposed to be delivered under the tenancy;
 - b) Extent of community benefit – The number of residents estimated to benefit from the proposed community service;
 - c) Diversity of beneficiaries – Whether the service specifically targets cohorts identified under Council's Diversity and Inclusion Action Plan and/or Social Justice Charter;
 - d) Alignment with Council strategies – The extent to which the proposed community service aligns with Council strategies.
- 6.3. An application for a rental subsidy must be submitted:
 - a) at the same time an application for a lease or licence is submitted; and
 - b) using the prescribed form/s as published on Council's website.

7. Other

- 7.1. Where there is any inconsistency between the application of this Policy with any relevant legislation, this Policy does not have the effect of imposing less onerous requirements than the legislation requires.
- 7.2. While this Policy does not apply retrospectively to lease and licence agreements established prior to the commencement of this Policy, any agreements established after this Policy commences, including those relating to properties subject to previous agreements, must comply with the Policy.
- 7.3. Georges River Council will not support (in the granting of a lease, license or other estate) any organisations, activities, entities, or individuals associated with entities, that are considered to:
 - c) discriminate, or encourage discriminatory behaviour, including discrimination based on age, disability, race, religion, sex and/or sexual orientation.
 - d) contribute to, or advocate for, the infringement of human rights.
 - e) demonstrate behaviour that does not align with Council's strategic direction.
 - f) pollute land, air or water, or otherwise damage the natural environment.
 - g) produce, promote or distribute products or services likely to be harmful to the community.
 - h) exploit people through the payment of below-award wages or poor working conditions including any forms of modern slavery.
 - i) contribute to, or advocate for, the infringement of the safety and rights of children and young people within our community.
 - j) represent a reputational risk for Georges River Council to partner with or support or be seen to partner with or support.

Responsibilities

Position	Responsibility
Councillors	<ul style="list-style-type: none"> To endorse by resolution this policy. To promote this policy when dealing with community organisations. To approve and execute leases and licences exceeding 10 years and not exceeding a period of 21 years, in accordance with the Local Government Act. To approve and execute leases and licences that are outside of the General Manager Delegations.
General Manager	<ul style="list-style-type: none"> To approve and execute leases and licences not exceeding a period of 10 years, in accordance with the instrument of Delegation of Functions to the General Manager, pursuant to section 377 of the Local Government Act 1993. To seek authority from Council to approve and execute leases and licences for the locations that are outside of the General Manager Delegations.
Director Community and Culture	<ul style="list-style-type: none"> Review recommendations of new agreements. Report to Council via Community Property Report. Provide point of contact for Councillor enquiries. To approve and execute leases and licences not exceeding a period of 10 years, in accordance with delegations.
Manager City Life	<ul style="list-style-type: none"> Provide a point of contact about the meaning and application of the policy. Review and update the policy when required. To approve and execute leases and licences not exceeding a period of 10 years, in accordance with delegations. Approve the Community Lease & Licence Guidelines
Coordinator Programming and Operations	<ul style="list-style-type: none"> Provide a point of contact about the meaning and application of the policy. Ensure compliance with the policy. Review and recommend updates the policy when required. To approve and execute leases and licences not exceeding a period of 10 years, in accordance with delegations. Update the Community Lease & Licence Guidelines
Community Property Officer	<ul style="list-style-type: none"> Adhere to this policy. Review and recommend updates the policy when required. Develop and adhere to related procedures. Report new community leases/licences to Council. Update the Community Lease & Licence Guidelines
Community Property Assistant	<ul style="list-style-type: none"> Adhere to this policy. Adhere to related procedures.
General Counsel	<ul style="list-style-type: none"> Provide legal advice in accordance with legislation. Oversee preparation and finalisation of lease and licence documentation. Determine precedents for Lease and Licence standard documentation.

		<ul style="list-style-type: none"> Update and Approve the Legal components of the Community Lease & Licence Guidelines.
Manager Planning	Strategic	<ul style="list-style-type: none"> Plan of Management Advice
Head of Property	Strategic	<ul style="list-style-type: none"> Native Title Advice
Staff		<ul style="list-style-type: none"> Adhere to this policy. To file related documentation into Council's Electronic Document and Records Management System.

Version Control and Change History

Version	Amendment Details	Policy Owner	Period Active
1.0	Complete new Georges River Council Community Lease Policy Council Resolution CCL203-17 Agenda - Attachments Included (infocouncil.biz) [InfoCouncil D17/142110]	Manager, Property	Strategic 04/09/2017 – 22/06/2020
2.0	Updated version of Georges River Council Community Lease Policy Council Resolution CCL042-20 Agenda of Council Meeting - 22 00 2020 (infocouncil.biz) [InfoCouncil D20/134839]	Manager Community and Cultural Development	22/06/2020 - XXXX
3.0	Updated version of Georges River Council Community Lease and Licence Policy Council Resolution XXXX	Manager, City Life	XXXX - ongoing



	CM9 D24/171581	reference
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Item: COM024-24 **Outgoing Sponsorship and Donations Report**

Author: Coordinator Events and Sponsorship

Directorate: Community and Culture

Matter Type: Committee Reports

RECOMMENDATION:

2. That Council approves the Outgoing Sponsorship request of \$8,500 to become a sponsor of the St George and Sutherland Medical Research Foundation, Beachside Dash on Sunday 8 September 2024.

EXECUTIVE SUMMARY

1. On Tuesday 18 June 2024, Council received a sponsorship request from the St George and Sutherland Medical Research Foundation for \$8,500 to be a sponsor of the 2024 Beachside Dash, Sunday 8 September held at Depena Reserve, Dolls Point.
2. The Beachside Dash is a community fun run aimed at raising funds for medical research provided by the St George & Sutherland Medical Research Foundation.
3. This Outgoing Sponsorship request has been assessed and Council approval is recommended in accordance with Clause 2.4 of the Georges River Council Sponsorship Policy (2023).

BACKGROUND

4. The St George and Sutherland Medical Research Foundation (SSMFR) funds facilities and the transformative work of medical researchers at St George and Sutherland Hospitals. This research supports the Georges River community and ultimately improves the overall healthcare offering for residence.
5. The Beachside Dash launched in 2008 and has been raising funds for medical research through competitor registration, sponsorship, and donations for over 15 years.
6. The Beachside Dash includes a race option for all abilities. 10km, 5km or 2km run/walk, School Cup Challenge where schools from the local area enter teams and compete against each other. In 2023 the School Cup Challenge attracted participation from 49 schools.
7. Aligned to Council's Disability Inclusion Action Plan (2022-2026) the 2024 Beachside Dash will include a vision impaired group, where participants will run with the assistance of a guide.
8. The Beachside Dash will feature a community beneficial health education campaign aimed at all attendees promoting a 'Luv Your Gut' program. This campaign will educate the community about the recommended consumption of fruit and vegetables to maintain a healthy gut.
9. It is anticipated that approximately 1850 community members will attend the event, being 850 race registrations, 500 spectators and 500 people signing up for the launch of a virtual participation option.
10. The reciprocal benefits offered to Council will include:
 - a) Logo recognition on event marketing collateral;
 - b) Logo recognition on SSMRF website and social media platforms;

- c) Acknowledgment in SSMFR monthly EDM, reach 4000 people;
 - d) Acknowledgment on the day from event MC;
 - e) Opportunity for Council representation at the trophy presentation; and
 - f) Opportunity for Council Mayor or representative to deliver a short speech.
11. An invitation to support the event and attend has been extended to Bayside Council and Sutherland Shire Council.
 12. In accordance with the Sponsorship Policy (2023), Council officers reviewed the proposal to assess alignment to Council strategies and benefit to the local community.
 13. It is recommended that Council sponsor the 2024 Beachside Dash to the value of \$8,500 given the reciprocal benefits offered to Council and the long-term benefit provided to the local community.

FINANCIAL IMPLICATIONS

14. Within budget allocation.
15. The \$8,500 Outgoing Sponsorship will be allocated from the 2024/2025 Outgoing Community Event Sponsorship budget.

RISK IMPLICATIONS

16. Given the significant local community interest in the event, there may be a reputational risk to Council not supporting the event.

COMMUNITY ENGAGEMENT

17. Community engagement was undertaken as part of the development of the Sponsorship Policy (2023).
18. On 24 July 2023, Council approved the revised draft Sponsorship Policy to be placed on public exhibition for a period of no less than 28 Days.
19. The Sponsorship Policy (2023) was adopted by Council on 23 October 2023 (CCL091-23).

FILE REFERENCE

D24/171214

ATTACHMENTS

Nil

CONFIDENTIAL ITEMS (CLOSED MEETING)

Council's Code of Meeting Practice allows members of the public present to indicate whether they wish to make representations to the meeting, before it is closed to the public, as to whether that part of the meeting dealing with any or all of the matters listed should or should not be considered in closed session.

RECOMMENDATION

That in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the following matters be considered in closed Meeting at which the press and public are excluded.

COM030A-24 Preliminary Investigation Works for 38 Humphreys Lane Hurstville (Report by Manager, Cultural Engagement and Library Services)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (d(ii)) it is considered the matter commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the council.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the council.

That in accordance with the provisions of Section 11(2) of the Act, the reports and correspondence relating to these matters be withheld from the press and public.