

## **AGENDA**

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### **Community and Culture Committee**

**Monday, 12 August 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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## CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Item:** COM025-24 Confirmation of the Minutes of the Community and Culture Committee Meeting held on 8 July 2024

**Author:** Executive Services Officer

**Directorate:** Office of the General Manager

**Matter Type:** Previous Minutes

### RECOMMENDATION:

That the Minutes of the Community and Culture Committee Meeting held on 8 July 2024, be confirmed.

### ATTACHMENTS

Attachment [↓](#)1 Minutes of the Community and Culture Committee Meeting held on 8 July 2024



# MINUTES

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## Community and Culture Committee

Monday, 08 July 2024

6:00 PM

Dragon Room

Georges River Civic Centre

Hurstville

UNCONFIRMED MINUTES



GEORGES RIVER COUNCIL

## **PRESENT**

### **COUNCIL MEMBERS**

Councillor Nancy Liu (Chairperson), Councillor Ashvini Ambhaipahar, 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 Community and Culture - Kristie Dodd, Manager City Life - Margaret Le, Manager Cultural Engagement and Library Services – Justin Yeomans, Coordinator Programming and Operations - Andrew Williams, Executive Manager City Futures - Simon Massey, Team Leader Technology Business Support - Mark Tadros, Executive Assistant to General Manager – Sue Matthews, 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 6.01pm.

## **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.

## **REQUESTS 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**

### **COM020-24 Confirmation of the Minutes of the Community and Culture Committee Meeting held on 11 June 2024** (Report by Executive Services Officer)

**RECOMMENDATION:** Councillor Konjarski, Councillor Stratikopoulos

That the Minutes of the Community and Culture Committee Meeting held on 11 June 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**

### **COM021-24 Quarterly Community Property Report - 1 April to 30 June 2024** (Report by Coordinator, Programming and Operations)

**RECOMMENDATION:** Councillor Ambihaipahar, Councillor Landsberry

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

#### **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.

### **COM022-24 Georges River Council Public Art Policy for Adoption** (Report by Coordinator Cultural Services)

**RECOMMENDATION:** Councillor Landsberry, Councillor Konjarski

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

#### **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.

### **COM023-24 Adoption of the draft Georges River Council Community Lease and Licence Policy** (Report by Coordinator, Programming and Operations)

**RECOMMENDATION:** Councillor Konjarski, Councillor Smerdely

- (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.

**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.

**COM024-24 Outgoing Sponsorship and Donations Report**  
(Report by Coordinator Events and Sponsorship)

**RECOMMENDATION:** Councillor Mort, Councillor Landsberry

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.

**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.

**PROCEDURAL MOTION**  
**MOVE TO CLOSED SESSION**

At this stage of the meeting, time being 6.17pm, the Chair, Councillor Liu, advised that the meeting would move into Closed Session in accordance with Section 10A of the *Local Government Act 1993*.

Accordingly, members of the press and public are excluded from the Closed Session and access to the correspondence relating to the item considered during the course of the Closed Session will be withheld.

This action was taken to allow discussion of the following item:

**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.*

The Chair, Councillor Liu asked the Director Community and Culture if any representations had been received from the public that the item should not be discussed in Closed Session.

The Director replied that no representations had been received in relation to the item in Closed Session.

Councillor Liu asked if there were any members of the public gallery who would like to speak on the reasons the Committee proposes to consider the item in Closed Session.

**MOTION:** Councillor Mort, Councillor Smerdely

That in accordance with Section 10A Clause 2 of the Local Government Act 1993, the Committee enter into Closed Session to discuss item **COM030A-24 Preliminary Investigation Works for 38 Humphreys Lane Hurstville.**

**Record of Voting**

For the Motion: Mayor, Councillor Elmir, Councillor Liu, Councillor Ambihapahar, 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.

**CLOSED SESSION (CONFIDENTIAL ITEM)**

**CONSIDERATION OF CONFIDENTIAL RECOMMENDATIONS**

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

**RECOMMENDATION:** Councillor Konjarski, Councillor Mort

- (a) That Council approve the proposed preliminary investigation works outlined in this report to determine the feasibility of providing a library service at 38 Humphreys Lane Hurstville.
- (b) That a further report be submitted to Council about the findings of the preliminary investigation works.

**Record of Voting**

For the Motion: Mayor, Councillor Elmir, Councillor Liu, Councillor Ambihapahar, 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.

**PROCEDURAL MOTION**

**RETURN TO OPEN SESSION**

**MOTION:** Councillor Landsberry, Councillor Mort

That the meeting revert to Open Session, the time being 6.23pm.

**Record of Voting**

For the Motion: Mayor, Councillor Elmir, Councillor Liu, Councillor Ambihapahar, 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.

**OPEN SESSION**

**CONFIRMATION OF RECOMMENDATIONS FROM CLOSED SESSION**

**RECOMMENDATION:** Councillor Konjarski, Councillor Mort

That the recommendations from the Closed Session in relation to item **COM030A-24 Preliminary Investigation Works for 38 Humphreys Lane Hurstville** be confirmed as recommendations of the 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.

**CONCLUSION**

The Meeting was closed at 6.24pm

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Chairperson

UNCONFIRMED

**COMMITTEE REPORTS**

**Item:** COM026-24 Georges River Council Library Use and Membership Policy

**Author:** Coordinator Library Customer Experience

**Directorate:** Community and Culture

**Matter Type:** Committee Reports

COM026-24

**RECOMMENDATION:**

- (a) That Council approve the revised draft Georges River Council Library Use and Membership Policy (the Policy) to be placed on public exhibition for a period of no less than 28 days.
- (b) That a further report be submitted to Council on the feedback received during the exhibition period, together with any recommended changes to the revised draft Policy prior to adoption.

**EXECUTIVE SUMMARY**

1. The Georges River Council Library Use and Membership Policy (the Policy) is scheduled for review in August 2024.
2. The revised draft Policy has been amended in line with Council's commitment to customer service, child safety and wellbeing and social justice values. Plain English revisions have been made throughout for accessibility and ease of comprehension.

**BACKGROUND**

3. Georges River Council provides welcoming library spaces, collections, and services to support the informational, cultural, recreational, and educational needs of the Georges River community. The Policy provides a framework for free library membership and conditions of use to ensure safe equitable access to services in accordance with the Library Act 1939 and the Library Regulation 2018.
4. The Policy is consistent with the goals of Council's Community Strategic Plan including the delivery of diverse, vibrant community hubs that are accessible and inclusive. The Policy is also consistent with the accessibility goals of the Georges River Library Strategy to design safe spaces that are inclusive to all people and to ensure the whole community has equitable access to the library – particularly people from non-English speaking backgrounds, low socio-economic status and people who need assistance due to disability.
5. The Policy was last reviewed in September 2021 and is scheduled for review in August 2024.

**REVIEW**

6. Between June and July 2024, the Policy was reviewed in consultation with key stakeholders to ensure that the Policy was aligned with relevant Council policies and sector best practice. The following was identified:
  - The Library Customer Experience team identified areas of the Policy that required clarification.

- The Community Capacity Building team identified recent Council policies and charters that were relevant to the library service including the Disability and Inclusion Action Plan 2022-2026, Social Justice Charter 2022-2026, and child safety guidelines.
  - The Cultural Engagement and Library Services leadership team identified sections of the Policy that required consolidation, simplification, and update in use of language to ensure consistency with other library policies.
7. The review compared the Policy to best practice in the public library sector and relevant Council documents including Council's Customer Experience Charter, the Disability and Inclusion Action Plan 2022-2026, Social Justice Charter 2022-2026, Council's Child Safety Code of Conduct, and the NSW State Library Guidelines for local authorities operating NSW public libraries under section 10(5) of the Library Act 1939.

## SUMMARY OF AMENDMENTS

8. Plain English amendments and reformatting were applied throughout the document to make it easy for people to read and understand.
9. The following documents were added to the Reference and Legislative section to align the Policy with Council, State and Federal Government requirements:
- Child Safe Code of Conduct - Service Users and Community;
  - Interactions with Children and Young People Policy 2022;
  - Disability and Inclusion Action Plan 2022-2026;
  - Social Justice Charter 2022-2026;
  - Children's Guardian Act 2019;
  - Library Collection Development Policy 2021-2024;
  - Customer Feedback and Complaints Management Policy; and
  - Customer Experience Strategy 2022-2027
10. There are no substantial changes to the Purpose and Scope section.
11. The Definition of Terms was updated and expanded to include more of the terms used within the Policy.
12. The Policy Statement section was updated to reflect Council's status as a Child Safe Organisation and demonstrate commitment to child safety.
13. Section 1.2 consolidates the conditions of use for library spaces for "visitors" and "library members".
14. Section 1.3 was added to clarify the specific restrictions related to library use:
- Operation of a commercial business without approval;
  - Alcohol and illegal drugs; and
  - Antisocial behaviour and unlawful activities.
15. Section 1.4 was added to identify the penalties that may apply to people who do not comply with the conditions of library use, in accordance with the Library Regulations 2018 under the Library Act 1939.
16. Section 2 was revised with a focus on achieving accessible and inclusive outcomes:
- Section 2.1 was updated to clarify the different types of library memberships available – online and full memberships.

- Section 2.3 was revised to consolidate all the responsibilities of library members. References to library overdue fines were removed in accordance with Council's adoption of the 2023/24 Fees and Charges (CCL050-23).
17. Section 3 was reviewed to ensure alignment with Council's Child Safe Code of Conduct.
  18. Section 4 was reviewed to ensure compliance with the Georges River Privacy Management Plan.
  19. In the Responsibilities section, position titles of relevant Council officers were reviewed and updated as required.

### **FINANCIAL IMPLICATIONS**

20. No budget impact for this report.

### **RISK IMPLICATIONS**

21. The amendments to this Policy mitigate Council's strategic risk of reputation, ensuring effective corporate governance and correct use of library services.
22. An operational risk was identified regarding inconsistent interpretation or application of the Policy leading to unauthorised or inappropriate use of Georges River Libraries. The revised draft Policy reduces this risk by providing clauses that are easier to read, understand and implement.

### **COMMUNITY ENGAGEMENT**

23. Should Council approve the revised draft Policy, it will be placed on public exhibition on Council's Your Say website for a period of no less than 28 days.

### **FILE REFERENCE**

D24/180371

### **ATTACHMENTS**

Attachment [↓](#)1 Draft Georges River Council Library Use and Membership Policy





# Draft Library Use and Membership Policy

*August 2024*

### Policy administration

<b>Dates</b>	Policy approved 02/08/2022 (Version 2) This policy is effective upon its approval. Policy is due for review August 2024
<b>Approved by</b>	Executive on 02/08/2022 (EXE090-22))
<b>Policy Type</b>	<input type="checkbox"/> Executive Policy <input checked="" type="checkbox"/> Council Policy
<b>Exhibition Period</b>	2 September 2024 to 30 September 2024
<b>Policy Owner</b>	Manager Cultural Engagement and Library Services Community and Culture Directorate
<b>Related Documents</b>	Georges River Council Library Collection Development Policy
<b>References &amp; Legislation</b>	<a href="#">Children and Young Persons (Care and Protection) Act 1998 (NSW)</a> <a href="#">Children's Policy Guidelines for NSW Public Libraries (2013)</a> <a href="#">Classification (Publications, Films and Computer Games) Enforcement Act 1995 No 630</a> <a href="#">Copyright Act 1968</a> <a href="#">Library Act 1939 (NSW)</a> <a href="#">Library Council of NSW Privacy Guidelines for NSW Public Libraries</a> <a href="#">Privacy Management Plan 2017</a> <a href="#">Library Regulations 2010 (NSW)</a> <a href="#">Library Collection Development Policy 2021-2024</a> <a href="#">Disability Inclusion Action Plan 2022-2026</a> <a href="#">Social Justice Charter 2022-2026</a> <a href="#">Child Safe Code of Conduct-Service Users and Community Interactions with Children and Young People Policy (2022)</a> <a href="#">Children's Guardian Act (2019)</a> <a href="#">Customer Feedback and Complaints Management Policy</a> <a href="#">Customer Experience Strategy 2022-2027</a>
<b>Document Identifier</b>	Policy #: Pol-033.02 Doc #: D17/107608
<b>Breaches of Policy</b>	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.
<b>Record Keeping</b>	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

The Georges River Library Use and Membership Policy provides the conditions for using Georges River Libraries.

## Scope

This policy applies to every person or organisation who uses Georges River Libraries, including library members and people who are just visiting our library sites.

## Definition of Terms

Term	Meaning
Collection	Physical and digital resources owned by Council or provided to Council under licence to the library including books, magazines, newspapers, DVDs, toys, photographs, eBooks, microfiche, microfilm, CDs, digital technology, and other objects.
Electronic Resources	Digital items that are available online and accessed through the internet including eBooks, audiobooks, digital magazines, journals, databases, films, music, and online courses.
Georges River Libraries	The library services provided by Georges River Council including library spaces, collections, programs, internet services, digital resources, website, and social media.
Library Items	See Collection.
Library Membership Card	A physical card issued by the library or digital library card accessed through the library system.
Identification and Alternative Identification	Current NSW Driver's Licence Alternative identification includes a combination of: Passport, Medicare card, student card, concession card, Centrelink card, Department of Veteran's Affairs card, credit, or debit card
People	Includes individuals as well as incorporated or unincorporated organisations.
Child	A person who is under the age of 16 years.
Young Person	A person who is aged 16 years or older but under the age of 18 years.

## Policy Statement

Georges River Council provides welcoming library spaces, collections, and services to support the informational, cultural, recreational, and educational needs of the Georges River community. The libraries are open to all visitors and free library membership is offered to ensure equitable access to the services we provide. Georges River Council is a Child Safe Organisation and is committed to the safety and wellbeing of children who use our libraries.

### 1. Conditions of Library Use

1.1. Library services are provided by Georges River Council on the condition that they are shared respectfully by everyone who uses them.

1.2. Everyone who use the library must:

- Take care of collections, equipment, rooms, and furniture they use.
- Keep food and drink away from computers and library collections.
- Take responsibility for their actions in the library, including use of collection, Wi-Fi, equipment, and services.
- Respect the privacy, safety and needs of others in the library.
- Follow directions of library staff.
- Be careful and alert when you use technology online to make sure your personal information stays secure.
- Follow the Child Safe Code of Conduct that is displayed in our libraries.
- Comply with the restrictions to photocopying and other forms of copying that are set out in the Copyright Act 1968.
- Comply with the age restrictions that are set out in the Classification (Publications, Films and Computer Games) Enforcement Act 1995 No 630.

1.3. Restrictions:

- Commercial business is not allowed without prior approval of the Manager Cultural Engagement and Library Services.
- Alcohol and illegal drugs are not allowed in the library.
- Inconsiderate behaviour, threats, intimidation, harassment, assault, and any other unlawful activities including online activities, are forbidden.

1.4. People and organisations who do not comply with the conditions of library use may be asked to leave or banned from using the library for a period of time in accordance with the Library Regulation 2018 under the Library Act 1939 (NSW).

## 2. Conditions of Library Membership

### 2.1. Who can apply for membership:

- Library membership is free and available to anyone living in NSW.
- Different types of memberships available are:
  - Online membership - access online resources only.
  - Full membership - online membership can be changed to a full membership in person at any Georges River Library.
  - Temporary full library membership is available to visitors to NSW by applying in person at the library.
- Applications for full library membership by residents of NSW with no fixed address can be done in person at the library by providing alternative identification.
- Applications by people younger than 16 years of age must have a parent or guardian as a guarantor.
- Library membership is available to organisations that are based in and operate within the Georges River Local Government Area and must provide a formal resolution in writing from that organisation, nominating a representative to take membership.

### 2.2. Library members may:

- Borrow, renew, and reserve library items that are available for loan.
- Make a booking of library resources, including rooms and equipment, subject to availability.
- Make suggestions for purchase, subject to the Library Collection Development Policy
- Request an inter library loan of items that are not held in the collection.
- Access the Home Library Service for those unable to visit the library in person due to illness, injury, frailty, or disability.

### 2.3. Responsibilities of library members:

- If borrowing in person you must present your library membership card.

- Report lost or damaged library cards.
- Manage their library account, or account they have guaranteed, including:
  - Items on loan,
  - Returning items by the due date.
  - Payment of charges.
  - Notification of changes to their address and contact details.
  - Checking and reporting damaged library items before borrowing them.

### 3. Child Safety and Welbeing

3.1. Georges River Libraries are committed to providing safe and welcoming environments, resources, and programs to support the needs of children and young people.

3.2. Unattended children:

- Children aged 10 years or under must be accompanied by a parent or guardian.
- Children must never be left in the library alone. A child or young person left unattended in the library may be at risk of significant harm, according to the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*.
- Library staff have a duty to report child protection concerns set out in the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*

3.3. Access to collections:

- Library staff are available to help children and young people in finding and accessing resources appropriate to their interests and inquiries.
- Library collections and resources are accessible to all library users, including children and young people, with minimal restriction.
- It is the responsibility of parents and guardians to monitor or supervise their children's use of library collections and resources based on age level, family values or beliefs.

3.4. Children and young people using the internet:

- The library supports the rights of everyone, including children and young people, to have free access to online information that suits their interests and inquiries.

- Library staff can help children and young people use digital technology and the internet safely but do not supervise how they use these resources.
- Children and young people without supervision can be at risk of harm when they go online. Parents and guardians are responsible for monitoring what sites they visit and what they see online.

4. Membership Information and Privacy

4.1. The library collects personal information for the purpose of creating a library membership record and to provide library services. This information is voluntary; however, it is not possible to process membership applications and provide some services without this.

4.2. Member information may be disclosed to third parties contracted by Council to provide Resources and information technology services, but only for the purpose of that third party providing those services, and only as permitted by NSW privacy laws.

4.3. Personal information collected by the library is managed in accordance with the Georges River Council Privacy Management Plan.

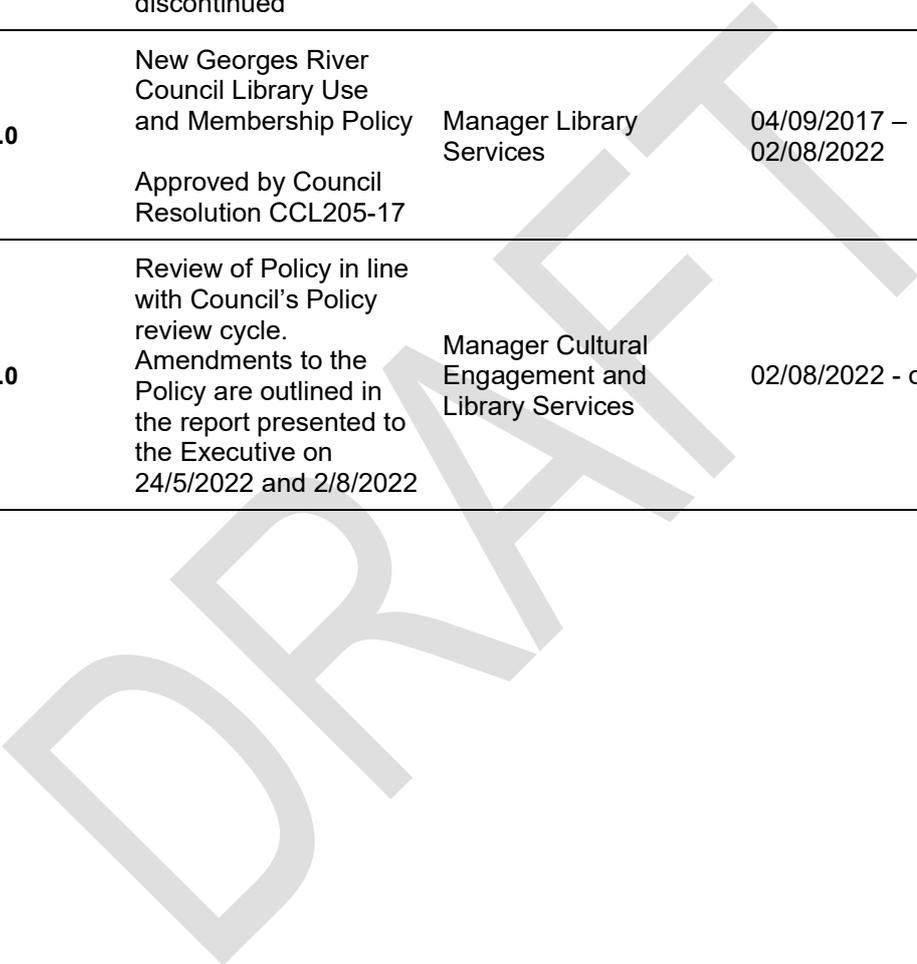
**Responsibilities**

Position	Responsibility
Manager Cultural Engagement and Library Services	<ul style="list-style-type: none"> <li>• Provide a point of contact about the meaning and application of this policy.</li> <li>• Ensure policy is included on Council’s policy register and record management system.</li> </ul>
Coordinator Library Customer Experience	<ul style="list-style-type: none"> <li>• Update the policy when necessary to ensure it is current.</li> <li>• Implement communications, education, and monitoring strategies.</li> </ul>
Library Management Team	<ul style="list-style-type: none"> <li>• Investigate breaches and enforcing compliance.</li> </ul>



### Version Control and Change History

Version	Amendment Details	Policy Owner	Period Active
<b>KCC</b>	Former Kogarah Council Library Policy discontinued	Manager Library	22/02/2016 – 03/09/2017
<b>1.0</b>	New Georges River Council Library Use and Membership Policy  Approved by Council Resolution CCL205-17	Manager Library Services	04/09/2017 – 02/08/2022
<b>2.0</b>	Review of Policy in line with Council’s Policy review cycle. Amendments to the Policy are outlined in the report presented to the Executive on 24/5/2022 and 2/8/2022	Manager Cultural Engagement and Library Services	02/08/2022 - ongoing



COM026-24 Attachment 1

**Item:** COM027-24 Greek Orthodox Patriarchal Visit to Kogarah – Event Grant  
**Author:** Coordinator Events and Sponsorship  
**Directorate:** Community and Culture  
**Matter Type:** Committee Reports

**RECOMMENDATION:**

That Council approves the event grant of \$17,000, to support the 'Greek Orthodox Patriarchal visit to Kogarah' on Wednesday 9 October 2024.

**EXECUTIVE SUMMARY**

1. Council receives requests from the community to support community events and initiatives. In accordance with the Georges River Council Grants and Donations Policy (2023), each application is assessed, and recommendations are made to Council.
2. Event organisers requesting grant funding for events have been made aware that their request is not approved until Council endorse the funding and to consider alternate sources of financial assistance.
3. On 31 July 2024, Council received correspondence from The Greek Orthodox Parish and Community of Kogarah and District Resurrection of Christ Ltd requesting an event grant of \$17,000.

**BACKGROUND**

4. The Greek Orthodox Parish and Community of Kogarah and District Resurrection of Christ Ltd, serves the faithful in Kogarah and surrounding suburbs with the canonical blessing of His Eminence Archbishop Makarios of Australia.
5. The Ecumenical Patriarch is visiting Australia for a variety of celebrations to mark the 100th anniversary of the Greek Orthodox Archdiocese of Australia (GOAA). The Orthodox leader will spend time in Kogarah on Wednesday 9 October 2024.
6. The Greek Orthodox Patriarchal visit to Kogarah event is proposed to be held at the Greek Orthodox Parish including Belgrave Street, Kogarah as it is the largest Parish in Sydney. This event will see at least 4,000 attendees in person. It is anticipated that this will attract national and international media attention, which will elevate Kogarah and the Georges River local government area.
7. The total grant amount requested from Council for this event is \$17,000 (\$17,000 financial).
8. Council's support will contribute to the cost of event expenses such as installation of flags, crowd control, traffic management, staging and audio/visual.
9. An assessment of this request occurred using Council's Grants and Donations Policy (2023) as per the decision-making criteria in section 4.3 Assessment Process.
10. This event is in accordance with Council's Community Strategic Plan 2022-2032 under Pillar 1: Our Community, specifically addressing goal 1.1: Our community is socially and culturally connected, and we strive for social equity. This goal includes strategy 1.1.1, which aims to initiate, facilitate, and support inclusive and accessible events that meet community aspirations and foster connections among people, communities, and diverse groups.

## FINANCIAL IMPLICATIONS

11. This request for an event grant by The Greek Orthodox Parish and Community of Kogarah and District Resurrection of Christ Ltd was assessed in accordance with the Community Benefit Criteria as outlined in Georges River Council Grants and Donations Policy (2023).
12. The total amount for Council's approval is \$17,000 consisting of:
  - (a) Total financial value: \$17,000
  - (b) Total in-kind value: \$0
13. Funding is available within the 2024/2025 Outgoing Community Event Sponsorship budget.

Organisation	Event Date	Event	Requested Amount	Recommended Financial	Recommended In-kind	Recommended total amount
The Greek Orthodox Parish and Community of Kogarah and District Resurrection of Christ Ltd	09/10/24	Greek Orthodox Patriarchal visit to Kogarah	\$17,000	\$17,000	\$0	\$17,000
<b>TOTAL</b>			<b>\$17,000</b>	<b>\$17,000</b>	<b>\$0</b>	<b>\$17,000</b>

## RISK IMPLICATIONS

14. **Reputation risks are mitigated by:**
  - (a) Through the assessment process, Council demonstrates good governance, fairness, and support for local initiatives to ensure funded events deliver maximum community benefit.
  - (b) Council's financial assistance also builds community event management capacity, fosters positive publicity, and reinforces trust in our commitment to supporting valued community events, strengthening community relations and encouraging future engagement.
15. **Compliance risks are mitigated by:**
  - (a) Assessment and recommendations of event grant applications in line with the Event Grant Guidelines and the Georges River Council Grants and Donations Policy (2023).
  - (b) Requirement of grant recipients to adhere to the Event Grant Guidelines and the Georges River Council Grants and Donations Policy (2023).

## COMMUNITY ENGAGEMENT

16. Community engagement was undertaken in the development of the Grants and Donations Policy (2023) and Sponsorship Policy (2023) prior to its adoption by Council on 23 October 2023.

## FILE REFERENCE

D24/201482

## ATTACHMENTS

Nil

**Item:** COM028-24 Adoption of the Draft Local Approvals Policy - Use of Public Land

**Author:** Manager City Life and Research and Social Policy Officer

**Directorate:** Community and Culture

**Matter Type:** Committee Reports

COM028-24

**RECOMMENDATION:**

- (a) That Council adopts the draft Local Approvals Policy - Use of Public Land (the Policy) following the public exhibition period.
- (b) That the General Manager be delegated authority to update Appendix G of the Policy, *Designated Areas for Activities on Public Land*, pending the assessment of proposed locations by Council's Traffic Management team.
- (c) That the Council repeal the Street Performance Policy, as its contents are now incorporated into the draft Local Approvals Policy - Use of Public Land.
- (d) That the General Manager be delegated authority to make minor administrative changes to the Policy, if required.

**EXECUTIVE SUMMARY**

1. On 22 June 2024, Council endorsed the Georges River Council draft Local Approvals Policy - Use of Public Land for the purpose of public exhibition for the period of no less than 28 days (CCL038-24).
2. Throughout the public exhibition period from 20 June 2024 to 18 July 2024, Council received a total of 95 visits to the Georges River Council draft Local Approvals Policy - Use of Public Land Your Say webpage. Four submissions were received during the public exhibition period.
3. Feedback received from consultation with internal Council business units during the period of public exhibition resulted in minor changes to the draft Policy. These changes are outlined in this report.

**BACKGROUND****The Review of the Local Approvals Policy**

4. The purpose of the revised Policy (Attachment 1) is to ensure a comprehensive framework for determining the suitability of groups and individuals to occupy Council-owned and managed land. This framework ensures that decisions are made in an equitable and transparent manner, adhering to relevant legislative requirements under Section 89 of the *Local Government Act 1993*. It aims to protect the public interest including the protection of the environment, public health and any items of cultural significance while allowing for diverse community activities.
5. The Policy underwent a thorough review from mid-2023 to early 2024, as part of its scheduled update. The review led to clearly defining roles and responsibilities within Council and streamlining approval processes.
6. Activities listed under Section 68 of the *Local Government Act 1993* encompass a diverse range of responsibilities and permissible activities essential for maintaining the well-being and functionality of local communities.
7. In total, these are the existing permits associated with this Policy, including:

- Business Use of Footpath Permit
  - External Event Permit
  - Film Production Permit
  - Installation of a Solid Fuel or Domestic Oil Heater (Planning Portal NSW)
  - Road Lane and Footpath Closure Permit
  - Road Opening Permit
  - Skip Bin in a Public Place Permit
  - Stormwater Drainage Permit
  - Street Performance Permit
  - Temporary Food Premises Permit
  - Temporary Stalls Permit (not food related)
  - Temporary Structures (Planning Portal NSW)
8. The review process has resulted in the clarification and consolidation of the roles and responsibilities for various activities within the Policy, due to realignments within the organisational structure. The purpose of changing the Policy owner and clarifying delegations is to enhance accountability and ownership of the Policy implementation and ongoing review.
  9. The Policy has been restructured to specify legislative compliance and policy conditions relevant to all activities, placing it at the forefront of the Policy. To satisfy the requirements of Section 158 (“Preparation of draft local policy for approvals”) of the *Local Government Act 1993*. The information provided per activity was structured to meet a standardised format to improve the efficiency of navigation of the document for both staff and customers.
  10. The Policy includes refinement of application and approval conditions to eliminate unnecessary steps or redundant approvals whilst reducing bottlenecks in the approval process. By removing these inefficiencies, the Policy ensures that resources are better allocated, and processes are more straightforward and less time-consuming.
  11. Since the Street Performance Policy falls under Section 68 of the *Local Government Act 1993*, integrating it into the Local Approvals Policy streamlines processes and promotes fair and equitable treatment for community members lodging applications for approval. As such, it is recommended that the Street Performance Policy is repealed upon the final adoption of the Policy.
  12. Improvements to the Policy ensure that conditions stipulated for enforcement and compliance actions are precise and specific, facilitating their effective utilisation for these purposes.

### **Feedback During Public Exhibition**

13. Throughout the public exhibition period from 20 June 2024 to 18 July 2024, Council received a total of 95 visits to the Georges River Council draft Local Approvals Policy - Use of Public Land Your Say webpage. Four submissions were received during the Councillor Briefing on 3 June 2024 in relation to the Draft Local Approvals Policy-Appendix G.
14. Activities under Section 68 are either applicable to be conducted across the local government area or are required to be conducted at selected locations as listed under

Appendix G of the Policy, *Designated Areas for Activities on Public Land*. The following permits are required to comply with Appendix G:

- Street Performance Permit
  - Temporary Stalls Permit (not food related)
15. The feedback received regarded including four locations in the list of allocated areas under Appendix G of the Policy, *Designated Areas for Activities on Public Land*. The submissions were for Kyle Bay, Oatley Town Centre, Carss Park and Narwee Shopping Centre.

### **Next steps**

16. An assessment will be conducted of these proposed four locations by Council's Traffic Management team. If these locations are deemed feasible, they will be added to Appendix G of the Policy, *Designated Areas for Activities on Public Land*.
17. There will be a comprehensive review and update of all relevant applications and permits under Section 68 of the Local Government Act to align with the revised Local Approvals Policy and improved for user-friendliness.
18. The review includes the following ten applications for permits issued by Georges River Council:
- Business Use of Footpath Application
  - External Event Application
  - Film Production Application
  - Road Lane and Footpath Closure Application
  - Road Opening Application
  - Skip Bin in a Public Place Application
  - Stormwater Drainage Application
  - Street Performance Application
  - Temporary Food Premises Application
  - Temporary Stalls Application (not food related)
19. For the two permits submitted to and approved by NSW Planning—Installation of a Solid Fuel or Domestic Oil Heater and Temporary Structures—we offer checklists to assist with the application process.
20. To improve customer ease during the implementation of the Policy, new customer guides were developed to provide clear, simple instructions and checklists. These guides include the pre-existing Event Guide, and the Customer Guides for Business Use of Footways and Temporary Food Premises. These guides will be published on Council's website.
21. Future customer guides will be developed based on the demand for activities. Guides will be created for activities that experience increased popularity, enhancing access and ease to the application process for applicants.
22. Coordination with internal Council business units has commenced to ensure the Policy's provisions are understood and applied consistently.

### **FINANCIAL IMPLICATIONS**

23. No budget impact for this report.

### **RISK IMPLICATIONS**

24. If this Policy is not endorsed, Council will not comply with the requirements outlined in Section 158 *Preparation of Draft Local Policy for approvals of the Local Government Act 1993*.
25. Inadequate or ineffective approval processes could pose risks to public safety, social cohesion or the environment.
26. Diminished customer satisfaction due to potential confusion regarding the procedures for obtaining approvals under Section 68 of the *Local Government Act 1993*.
27. Failure to implement this Policy would heighten the risk of customers incurring additional fines, as the lack of clarity in the initial policy leaves them susceptible to misunderstanding their roles and responsibilities as permit holders.

### **COMMUNITY ENGAGEMENT**

28. On 22 June 2024, Council endorsed the Georges River Council draft Local Approvals Policy - Use of Public Land for the purpose of public exhibition for the period of no less than 28 days (CCL038-24).
29. Throughout the public exhibition period from 20 June 2024 to 18 July 2024, Council received a total of 95 visits to the Georges River Council draft Local Approvals Policy - Use of Public Land Your Say webpage. Four submissions were received during the public exhibition period pertaining to Appendix G.

### **FILE REFERENCE**

D24/210199

### **ATTACHMENTS**

Attachment [↓](#)1 Draft Local Approvals Policy - Use of Public Land





# Local Approvals Policy – Use of Public Land

2024

**Policy administration**

<b>Dates</b>	Policy approved <b>xx/xx/xxxx</b> (date to be added by Policy Specialist) This policy is effective upon its approval. Policy is due for review <b>xx/2027</b> (If a particular review date is required, please specify, otherwise the Senior Policy Specialist will set a review date at 3 years from the date the policy is approved which is the maximum review period)
<b>Approved by</b>	Council Meeting <b>xx/xx/xxxx</b> Council Resolution <b>xxxx</b>
<b>Policy Type</b>	<input type="checkbox"/> Executive Policy <input checked="" type="checkbox"/> Council Policy
<b>Exhibition Period</b>	20 June 2024 to 18 July 2024
<b>Policy Owner</b>	Manager of City Life, Community and Culture
<b>Related Documents</b>	<ul style="list-style-type: none"> <li>• Australian Building Codes Board, National Construction Code (Volumes one, two and three) 2020</li> <li>• Georges River Council Enforcement Policy</li> <li>• Georges River Council Smoke Free Policy for Outdoor Areas 2024</li> <li>• Georges River Council Stormwater Management Policy</li> <li>• NSW Environment Protection Authority, Noise Guide for Local Government</li> <li>• NSW Food Authority's Guidelines for Food Businesses as Temporary Events 2020</li> <li>• NSW Food Authority's Guidelines for Mobile Food Vending Vehicles</li> <li>• RMS Corporate Policy for Mobile Vending in Rest Areas</li> </ul>
<b>Appendices</b>	<p>Appendix A – PART A: Structures or Places of Public Entertainment</p> <p>Appendix B – PART B: Water Supply, Sewerage, and Stormwater Drainage Work</p> <p>Appendix C – PART C: Management of Waste</p> <p>Appendix D – PART D: Community Land</p> <p>Appendix E – PART E: Public Roads</p> <p>Appendix F – PART F: Other Activities</p> <p>Appendix G – Designated Areas for Activities on Public Land</p> <p>Appendix H – Classified Roads in the LGA</p>
<b>References &amp; Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Crown Land Management Act 2016 (NSW)</i></li> <li>• <i>Charitable Fundraising Act 1991 (NSW)</i></li> <li>• <i>Disability Discrimination Act 1992</i></li> <li>• <i>Domestic Animal Act 1994</i></li> <li>• <i>Environmental Planning and Assessment Act 1979 (NSW)</i></li> <li>• <i>Environmental Planning and Assessment Regulation 2021 (NSW)</i></li> </ul>



	<ul style="list-style-type: none"> <li>• <i>Explosives Act 2003</i></li> <li>• <i>Explosives Regulation 2005</i></li> <li>• <i>Food Act 2003 (NSW)</i></li> <li>• <i>Food Regulation 2015 (NSW)</i></li> <li>• <i>Food Standards Australia New Zealand Act 1991</i></li> <li>• <i>Food Standards Code Legislation</i></li> <li>• <i>Local Government (General) Regulation 2021 (NSW)</i></li> <li>• <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (NSW)</i></li> <li>• <i>Local Government Act 1993 (NSW)</i></li> <li>• <i>Local Government Filming Protocol 2009 (NSW)</i></li> <li>• <i>National Parks and Wildlife Act 1974</i></li> <li>• <i>Disability Inclusion Act 2014 (NSW)</i></li> <li>• <i>Liquor Act 2007 (NSW)</i></li> <li>• <i>Smoke-Free Environment Act 2000 (NSW)</i></li> <li>• <i>Smoke-Free Environment Regulation 2016 (NSW)</i></li> <li>• <i>Parliamentary Electorates and Elections Act 1912 (NSW)</i></li> <li>• <i>Plumbing and Drainage Act 2011 (NSW)</i></li> <li>• <i>Protection of the Environment Operations Act 1997 (NSW)</i></li> <li>• <i>Road Rules 2014 (NSW)</i></li> <li>• <i>Road Transport Act 2013 (NSW)</i></li> <li>• <i>Roads Regulation 2018 (NSW)</i></li> <li>• <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i></li> <li>• <i>Work Health and Safety Act 2011</i></li> <li>• <i>Work Health and Safety Regulation 2017</i></li> </ul>
<p><b>Document Identifier</b></p>	<p>Policy #: <i>Allocated by Senior Policy Specialist once policy is approved (includes the version number)</i>                  Doc #: D24/68494</p>
<p><b>Breaches of Policy</b></p>	<p>Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.</p>
<p><b>Record Keeping</b></p>	<p>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.</p>

## Purpose

The purpose of this Policy is to prescribe where approval is required from the Council, and where such approval is exempted, before carrying out an activity prescribed under section 68 of the *Local Government Act 1993* (the Act) – which is summarised by **Table 1** below.

This Policy has been prepared pursuant to Chapter 7, Part 3 of the Act and consists of the following three parts:

Part 1: Specify the circumstances in which a person would be exempt from the necessity to obtain a particular approval of the council.

Part 2: Specify the criteria which the council must take into consideration in determining whether to give or refuse approval of a particular kind.

Part 3: Specify other matters relating to approvals.

The objectives of the Council's Local Approvals Policy are to:

- Provide clear, transparent, and consistent criteria and processes for approvals.
- Ensure consistency and fairness when dealing with applications for approval.
- Ensure Council's approvals criteria and processes are readily accessible and understandable to the community.

## Scope

This Policy applies to the activities prescribed under section 68 of the Act that are proposed to be undertaken on public land within the Georges River Council local government area (LGA) that is controlled by Georges River Council.

Key provisions of the Act relating to section 68 activities include (but are not limited to):

- Chapter 7, Part 1 of the Act – Approvals; and
- Chapter 7, Part 5 of the Act – Appeals.

It is an offence to undertake an activity without approval from Council, where the circumstances of the activity meant that approval was required under the Act and this policy, or to undertake an activity contrary to an approval given by under this policy.<sup>1</sup> Council may carry out enforcement action in respect of such offences as provided by the Act and guided by Council's [Enforcement Policy](#), which may include penalty notices; giving of orders; and Court proceedings.<sup>2</sup>

Nothing in this Policy limits the effect of legislation (including but not limited to the *Local Government Act 1993*) on an activity which requires approval or is exempt from approval

<sup>1</sup> ss 124-157, 626-627 *Local Government Act 1993*

<sup>2</sup> ss 672-679 *Local Government Act 1993*; s 398 and sch 12 *Local Government Regulation (General) 2021*.

under this Policy, including whether any other approval from Council or another government agency is required under legislation other than the *Local Government Act 1993*.

**Table 1** summarises section 68 activities, which generally require the approval of Council, unless otherwise exempted by this Policy, or the Act provides that the activity can be carried out without approval of Council.

<b>TABLE 1: SECTION 68</b>
<b>PART A: Structures or places of public entertainment</b>
1. Install a manufactured home, moveable dwelling or associated structure on land
<b>PART B: Water supply, sewerage, and stormwater drainage work</b>
1. Carry out water supply work
2. Draw water from a council water supply or a standpipe or sell water so drawn
3. Install, alter, disconnect or remove a meter connected to a service pipe
4. Carry out sewerage work
5. Carry out stormwater drainage work
6. Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with such a public drain or sewer
<b>PART C: Management of waste</b>
1. For fee or reward, transport waste over or under a public place
2. Place waste in a public place
3. Place a waste storage container in a public place
4. Dispose of waste into a sewer of the council
5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility
6. Operate a system of sewage management (within the meaning of Section 68A)
<b>PART D: Community Land</b>
1. Engage in a trade or business
2. Direct or procure a theatrical, musical or other entertainment for the public
3. Construct a temporary enclosure for the purpose of entertainment
4. For fee or reward, play a musical instrument or sing
5. Set up, operate or use a loudspeaker or sound amplifying device

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6. Deliver a public address or hold a religious service or public meeting

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**PART E: Public Roads**

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1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway
2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road

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**PART F: Other Activities**

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1. Operate a public car park
  2. Operate a caravan park or camping ground
  3. Operate a manufactured home estate
  4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance
  5. Install or operate amusement devices
  6. Use a standing vehicle or any article for the purpose of selling any article in a public place
  7. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations
-

## Definition of Terms

This policy adopts the definition of terms under the *Local Government Act 1993*.

Term	Meaning
<i>Amusement Device</i>	A device that is designed primarily for the use of children 12 years of age or under and includes such amusement devices as mini-Ferris wheels, battery-operated cars and miniature railways but, in the case of rotating amusement devices, includes only those devices that have a maximum rotation of 14 revolutions per minute.
<i>Approval</i>	Approval of an activity is listed in the Table of Section 68 in the Act and should not be confused with any requirement for a 'Development Consent' issued in accordance with the provisions of the <i>Environmental Planning and Assessment Act 1979</i> .
<i>Authorised Council Officer</i>	a) An employee of a council generally or specially authorised by the council in respect of or whose duty it is to deal with, or to act regarding, any acts, matters or things in relation to which the expression is used, or b) A police officer.
<i>Classified Roads</i>	Any of the following: a main road, a state highway, a freeway, a controlled access road, a secondary road, a tourist road, a tollway, a State work. See <i>Roads Act 1993</i> , Part 5 for further details.
<i>Community Land</i>	Land vested in a Council that is kept for use by the general public such as parks and reserves.
<i>Domestic Greywater</i>	Wastewater from washing machines, laundry tubs, showers, hand basins and baths, but does not include wastewater from a kitchen, toilet, urinal or bidet.
<i>Domestic Greywater Diversion</i>	The installation and operation of a system for diverting greywater generated on residential premises to a garden or lawn on those premises but does not include the manual collection and re-use of greywater (for example, by means of a bucket or similar receptacle).
<i>Mobile Vending Vehicle</i>	All types of registered or unregistered vehicles that are used for the sale of articles, on a public road or in a public place, making brief intermittent stops, and do not involve the erection of stalls, hoardings or any other physical structures.
<i>Offensive noise</i>	Noise that by reason of its level, nature, character or quality or the time at which it is made, or any other circumstances: a) a person who is in or on any Council land must not play or operate any device that produces a sound so that the sound is heard within a habitable room of any dwelling; or b) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or As prescribed by the regulations as defined in the <i>Protection of the Environment Operations Act 1997</i> .

<i>Operational land</i>	Land vested in the Council that is not generally open to the public but is used by the Council to carry out its functions such as a works depot or Council garage.
<i>Public land</i>	Any land (including a public reserve) vested in or under the control of the council, but does not include-- a) a public road, or b) land to which the <i>Crown Land Management Act 2016</i> applies, or c) a common, or d) a regional park under the <i>National Parks and Wildlife Act 1974</i> .
<i>Public Meeting</i>	An assembly held for a public purpose to which admission may ordinarily be gained by members of the public (whether on payment of money, or other consideration, as the price or condition of admission), but does not include an assembly held for religious worship only.
<i>Real Estate Advertising Sign</i>	A sign used by real estate agents to notify members of the public of a property associated with their business, whether for sale, sold, rent, lease etc. Generally, a small sign placed temporarily on public land, not a 'for sale' sign located at a property.
<i>Section 68 activity</i>	Refers to all the activities specified in the table prescribed by section 68(1) of the <i>Local Government Act 1993</i> .
<i>Smoking</i>	The use, consumption, holding or otherwise having control over a tobacco product, non-tobacco smoking product or e-cigarette that is generating (whether or not by burning) smoke or an aerosol or vapour.
<i>Standing vehicle</i>	Any vehicle whether registered or not which is stationary on a public road to sell any article. Note: For the purposes of this Policy a 'standing vehicle' includes any Mobile Food Vending vehicle that has stopped to make a sale.
<i>Street vending</i>	Involves the selling of articles either directly from a stall or a standing vehicle on a public road or public land.
<i>Temporary stall</i>	A stall that is set up for a specific or occasional event with temporary equipment and appliances to sell articles. Temporary stalls may include the installation of a tent, marquee or similar temporary structure.
<i>Temporary Structure</i>	Any or all of the following installed on or above a public place: <ul style="list-style-type: none"> <li>• Type-A Hoarding - a plywood sheet fence, with or without scaffolding used to enclose or isolate a work area from the public place.</li> <li>• Type-B Hoarding - an overhead protective structure constructed of a steel frame that provides a barrier from objects that may fall from a work area into the public place and where necessary, to also enclose a worksite by means of a plywood sheet fence: <ul style="list-style-type: none"> <li>a) cantilevered work platforms;</li> <li>b) scaffolding.</li> </ul> </li> </ul>

## Policy Statement

### 1. PART ONE – EXEMPTION CIRCUMSTANCES

- 1.1 This part, Part 1, specifies the circumstances where an activity prescribed under section 68 of the Act will be exempt from requiring Council approval for activities.
- 1.2 If a proposed activity does not align with circumstances provided by the Act, the regulations, or this Policy to exempt such an activity from requiring approval from Council, then approval from Council must be obtained before undertaking the activity.
- 1.3 An exemption for approval under this Policy does not affect approvals given under any other legislation, such as consent to carry out development under the *Environmental Planning and Assessment Act 1979*.
- 1.4 The following exemptions apply:
  - 1.4.1 Exemptions for “Install a manufactured home, moveable dwelling or associated structure on land” are listed in Appendix A, Point 4.1 – Legislative Exemption.
  - 1.4.2 Exemptions for “Carry out water supply” and “Carry out sewerage work” are listed in Appendix B, Point 5.1 – Policy Exemption.
  - 1.4.3 Exemptions for “Carry out stormwater drainage work” are listed in Appendix B, Point 6.1 – Policy Exemption.
  - 1.4.4 Exemptions for “For fee or reward, transport waste over or under a public place” are listed in Appendix C, Point 7.1 – Legislative Exemption
  - 1.4.5 Exemptions for “Place waste in a public place” are listed in Appendix C, Point 8.1 – Legislative Exemption.
  - 1.4.6 Exemptions for “Place waste storage container in a public place” are listed in Appendix C, Point 9.1 – Legislative Exemption.
  - 1.4.7 Exemptions for “Dispose of waste into a sewer of the Council” are listed in Appendix C, Point 10.1 – Legislative Exemption.
  - 1.4.8 Exemptions for “Install, construct, or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility” are listed in Appendix C, Point 11.1 – Legislative Exemption.
  - 1.4.9 Exemptions for “Operate a system of sewerage management (within the meaning of Section 68)” are listed in Appendix C, Point 12.1 – Legislative Exemption.
  - 1.4.10 Exemptions for “Engage in a trade or business” are listed in Appendix D, Points 13.1 and 13.4 – Policy Exemption.
  - 1.4.11 Exemptions for “Direct or procure a theatrical, musical, or other entertainment for the public” are listed in Appendix D, Point 14.1 – Policy Exemption.
  - 1.4.12 Exemptions for “Construct a temporary enclosure for the purpose of entertainment” are listed in Appendix D, Point 15.1 – Policy Exemption.
  - 1.4.13 Exemptions for “For fee or reward, play a musical instrument or sing” are listed in Appendix D, Point 16.1 – Policy Exemption.

- 1.4.14 Exemptions for “Set up, operate, or use a loudspeaker or sound amplifying device” are listed in Appendix D, Point 17.1 – Legislative Exemption.
- 1.4.15 Exemptions for “Deliver a public address or hold a religious service or public meeting” are listed in Appendix D, Point 18.1 – Policy Exemption.
- 1.4.16 Exemptions for “Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway” are listed in Appendix E, Point 19.1 – Legislative Exemption.
- 1.4.17 Exemptions for “Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road or hang an article beneath an awning over the road” are listed in Appendix E, Points 20.1 and 20.3 – Policy Exemption.
- 1.4.18 Exemptions for “Operate a public car park” are listed in Appendix F, Point 21.1 – Legislative Exemption.
- 1.4.19 Exemptions for “Install a domestic oil or solid fuel heating appliance, other than a portable appliance” are listed in Appendix F, Point 22.1 – Legislative Exemption.
- 1.4.20 Exemptions for “Install or operate amusement devices” are listed in Appendix F, Point 23.1 – Legislative Exemption.
- 1.4.21 Exemptions for “Use a standing vehicle or any article for the purpose of selling any article in a public place” are listed in Appendix F, Points 13.3, 24.1 and 24.3 – Legislative Exemption.
- 1.4.22 Exemptions for “Carry out an activity prescribed by the regulations, or an activity of a class or description prescribed by the regulations” are listed in Appendix F, Point 25.1 – Legislative Exemption.

## 2. PART TWO – APPROVAL CRITERIA

- 2.1 If a proposed section 68 activity is not exempted under Part 1, approval from Council is required. In determining whether to give or refuse approval, Council will assess the application for approval against criteria prescribed by this part, Part 2.
- 2.2 Section 89 of the *Local Government Act 1993* sets out the matters Council must consider in determining whether to give or refuse approval.
- 2.3 The following criteria will be taken into consideration in determining an application:
  - 2.3.1 Criteria for “Carry our water supply” and “Carry out sewerage work” are listed in Appendix B, Point 5.2 – Approval Assessment Criteria.
  - 2.3.2 Criteria for “Carry out stormwater drainage work” are listed in Appendix B, Point 6.2 – Approval Assessment Criteria.
  - 2.3.3 Criteria for “Place a waste storage container in a public place” are listed in Appendix B, Point 9.2 – Approval Assessment Criteria
  - 2.3.4 Criteria for “Engage in a trade of business” are listed in Appendix D, Points 13.2 and 13.4 – Approval Assessment Criteria.

- 2.3.5 Criteria for “Direct or procure a theatrical, musical or other entertainment for the public” are listed in Appendix D, Points 14.2 – Approval Assessment Criteria.
- 2.3.6 Criteria for “Construct a temporary enclosure for the purpose of entertainment” are listed in Appendix D, Points 15.2 – Approval Assessment Criteria.
- 2.3.7 Criteria for “For fee or reward, play a musical instrument or sing” are listed in Appendix D, Point 16.2 – Approval Assessment Criteria.
- 2.3.8 Criteria for “Set up, operate or use a loudspeaker or sound amplifying device” are listed in Appendix D, Point 17.2 – Approval Assessment Criteria.
- 2.3.9 Criteria for “Deliver a public address or hold a religious service or public meeting” are listed in Appendix D, Points 18.2 – Approval Assessment Criteria.
- 2.3.10 Criteria for “Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway” are listed in Appendix E, Points 19.2 – Approval Assessment Criteria.
- 2.3.11 Criteria for “Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road or hang an article beneath an awning over the road” are listed in Appendix E, Points 20.2, 20.4, 20.5, 20.6 and 20.7 – Approval Assessment Criteria.
- 2.3.12 Criteria for “Operate a public car park” are listed in Appendix F, Point 21.2 – Approval Assessment Criteria.
- 2.3.13 Criteria for “Install a domestic oil or solid fuel heating appliance, other than a portable appliance” are listed in Appendix F, Point 22.2 – Approval Assessment Criteria.
- 2.3.14 Criteria to “Install or operate amusement devices” are listed in Appendix F, Point 23.2 – Approval Assessment Criteria.
- 2.3.15 Criteria to “Use a standing vehicle or any article for the purpose of selling any article in a public place” are listed in Appendix F, Points 13.4, 24.2, 24.4, 24.5 and 24.6 - Approval Assessment Criteria.

### 3. PART THREE – OTHER MATTERS

#### 3.1 Application for Other Activities

- 3.1.1 Applications for all other activities (as described in Table of Section 68 of the Act) not listed in this Policy are to be on the approved form available on the Council’s website and will be assessed in accordance with the Act.

#### 3.2 Public Liability and Product Indemnity Insurance

- 3.2.1 All applicants must possess a current Public and Product Liability Policy where:
- The limit of indemnity for any single accident or event is not less than \$20 million.

- The policy contains a Clause or notation indemnifying Georges River Council against actions, suits, claims, or demands of any kind arising from the applicant's use of the approved area and
  - The policy has been issued by an insurer licensed by the Australian Prudential Regulatory Authority to write liability insurance business in Australia.
  - The applicant shall pay all the Council's legal costs and any other costs associated with the preparation of a license agreement.
  - Council accepts no liability for any injury or damage associated with any exempt activity undertaken or purportedly undertaken under the provisions of this Policy.
- 3.2.2 Evidence of the required insurance will be requested by the Council at the time of submission via the application form.
- 3.3 Submitting an Application
- 3.3.1 Applications are to be submitted using the relevant form with all supporting documentation or materials required.
- 3.3.2 Applications are to be lodged to the Council before undertaking the activity and by any timeframes specified on the form or at least 3 months before the proposed activity if the activity requires multiple Council-issued permits/approvals.
- 3.3.3 Application fees must be paid at the time of application lodgement and are non-refundable and non-transferrable regardless of the outcome of the assessment of the application.
- 3.3.4 Applications can be amended by the applicant or at the request of the Council before a determination provided that the variation is minor.
- 3.4 Approval Process
- 3.4.1 The Council will contact the applicant if any additional information is needed to support an application.
- 3.4.2 Applications will be assessed by relevant Council officers. An outcome will be determined within the timeframe specified on the application form.
- 3.4.3 Applications that do not comply with the relevant approval guidelines will be declined.
- 3.4.4 Approvals expire at 5.00 pm on the last day of the approval period as indicated on the approval documentation.
- 3.5 Approval Determination
- 3.5.1 After a determination is made, a notice will be issued indicating whether the application has been refused, approved, or approved with conditions.
- 3.5.2 Applications that are not easily legible, incomplete, or not accompanied by all required supporting material may be rejected.
- 3.5.3 Approval holders will receive documentation specifying the approval period, which varies based on the activity type, work undertaken, or specified

- activity dates on the application. Approval holders must comply with the approval period.
- 3.5.4 Approval holders must keep approval documentation on their person when undertaking the activity for presentation to an authorised Council officer upon request.
- 3.6 Review of Determination
- 3.6.1 Under Section 100 of the *Local Government Act 1993*, a determination can be reviewed upon request of the applicant. A determination review request must be made in writing within 28 days of the Council's determination and include justification for the review. Fees apply. The determination of a review is final.
- 3.7 Approval Renewal
- 3.7.1 Renewal applications must be submitted before the expiry date of the existing approval and will be approved at the Council's discretion.
- 3.7.2 If works have not commenced or the activity has not occurred during the nominated time, then the approval may lapse. In such cases, and depending on the circumstances, an applicant can seek to lodge a new application.
- 3.8 Associated Fees
- 3.8.1 Under Section 608 of the *Local Government Act 1993*, the Council can charge a fee for assessments, inspections and registrations relating to approvals processes.
- 3.8.2 Fees are determined by the Council each year and are published on the Council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au).
- 3.8.3 Application fees must be paid at the time of application lodgement and are non-refundable and non-transferrable regardless of the outcome of the assessment of the application.
- 3.8.4 Fees relating to inspections are payable at the time of booking and are non-refundable and non-transferrable regardless of the outcome of the inspection.
- 3.9 Records of approvals
- 3.9.1 In accordance with Section 113 of the *Local Government Act 1993*, the Council will maintain a record of approvals granted under this Policy and make it available to the public.
- 3.10 Cancellation or Suspension of an Approval
- 3.10.1 If an approval holder breaches the conditions of the approval, Georges River Council may at its discretion cancel or suspend the permit or decide not to re-issue a new permit (upon expiry) for at least 12 months or greater.
- 3.10.2 Where the Georges River Council suspends, relocates, amends, and/or cancels the permit, neither the permit holder nor any other person shall be entitled to any payments, compensation, or damages of any kind from Georges River Council.

- 3.10.3 Georges River Council may also suspend the permit by giving at least 30 days' written notice to the permit holder if the Georges River Council or any other external bodies require the site for events, festivals, or for any other purpose.
- 3.10.4 Reference should be made to Council's Enforcement Policy for details on enforcement processes and actions.

3.11 Environmental Sustainability

- 3.11.1 There are many ways to minimise the impact of a business trading on the environment. Businesses are recommended to:
- Avoid disposable goods or single-use materials where possible.
  - In cases where disposable goods or single-use materials are used, aim to reduce the amount of single-use or disposable materials going to landfill by providing materials that can be recycled (cardboard, paper, plant-based materials, biodegradable, compostable)
  - Reuse materials as much as possible (for example, re-usable/washable cutlery, food containers to be biodegradable or compostable and no single-use plastics)
  - Recycle plastics, cans, glass, and cardboard in the recycling bins provided. Provide signage or staff to direct attendees on how to correctly use the bins provided.
  - Recover materials (surplus food and/or equipment) where further recycling is not feasible.
  - Dispose responsibly of the waste that cannot be recycled.

3.12 Code of Conduct

- 3.12.1 Approval holders will engage in their approved activity in a manner that is consistent with Council's values, behaviours and will not have a negative impact on the community.
- 3.12.2 Activities must not incite hatred or vilification based on national, cultural, racial, religious, sexual, or gender grounds.
- 3.12.3 Activities must not involve individuals or organisations previously found or reasonably believed by the Council to:
- a) Engage in conduct which likely incites hatred or vilification of people on national, cultural, racial, religious, sexual or gender grounds.
  - b) Have previously held an activity on council-controlled land without submitting an application that subsequently contravened any of the above-mentioned criteria.
- 3.12.4 Georges River Council reserves the right to decline any application for the use of or the organising of activities at any Council-owned or managed site, which may be deemed culturally sensitive, including but not limited to war memorials and monuments.

## APPENDIX A

### PART A: Structures or places of public entertainment

#### 4. Install a manufactured home, moveable dwelling, or associated structure on land

##### 4.1 Legislative Exemption

4.1.1 Exemption applies under Section 9 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* for the following:

- Installation of a manufactured home on land within a manufactured home estate, provided it is designed, constructed and installed in accordance with the relevant requirements of Division 4, the site is not liable to flooding and the installation occurs with the consent of the holder of the approval to operate manufactured home estate concerned and it is not occupied by any person until a certificate of completion has been issued for it, OR
- Installation of an associated structure on land within a manufactured home estate if the structure is designed, constructed, and installed in accordance with Division 4 and the site is not liable to flooding and the installation occurs with the consent of the holder of the approval to operate manufactured home estate concerned.

4.1.2 Exemption applies under Section 74 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* for the following:

- Installation of moveable dwellings and associated structures in caravan parks and camping grounds, provided the structure is designed, constructed, and installed with the relevant provisions of the Regulations, the site is not liable to flooding and the installation occurs with the consent of the holder of the approval to operate the caravan park or camping ground concerned.

4.1.3 Exemption applies under Subsection 77(a) of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* for the following:

- Installation of not more than 2 caravans, campervans, or tents on any land, so long as they are not occupied for more than 2 days at a time and are not occupied for more than 60 days (in total) in any single period of 12 months.

4.1.4 Exemption applies under Subsection 77(b) of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* for the following:

- Installation of not more than 1 caravan or campervan on land occupied by the owner of the caravan or campervan in connection with that owner's dwelling-house, so long as it is used for habitation only by the

owner or by members of the owner's household and is maintained in a safe and healthy condition.

4.1.5 Exemption applies under Subsection 77(c) of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* for the following:

- Installation of a caravan or campervan on pastoral or agricultural land, so long as it is merely occupied seasonally by persons employed in pastoral or agricultural operations on the land.

4.1.6 Exemption applies under Subsection 77(d) of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* for the:

- Installation of a moveable dwelling or associated structure on land to accommodate a person who has been displaced as a result of a natural disaster if the moveable dwelling or associated structure is-
  - a) Maintained in a safe and healthy condition, and
  - b) Removed within-
    - i. 2 years after it is installed, or
    - ii. If the relevant local approvals policy for the moveable dwelling or associated structure specifies a longer period.

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## APPENDIX B

### PART B: Water supply, sewerage, and stormwater drainage work

#### 5. Carry out water supply (B1) and sewage work (B4, B6)

##### 5.1 Policy Exemption

5.1.1 No exemption applies where the works are to be carried out in public places unless approval has already been obtained from the Council under the *Roads Act 1993* and any relevant standards and policies of public authorities applying to the use of the road.

##### 5.2 Approval Assessment Criteria

5.2.1 Before works commence all work must be approved by Sydney Water or its nominee and comply with any applicable requirements of the *Plumbing and Drainage Act 2011* or the regulations made under that Act.

5.2.2 In cases where this activity necessitates the opening of the road, applicants may also need to obtain a permit to open the road from the Council.

5.2.3 Applications to open the road can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Applications must be submitted within the time frame specified in the Advisory Notes section of the application form.

#### Road Opening

5.2.4 Applications to open the road will be assessed with regard to:

- Division 1, Part 2 of the *Roads Act 1993*
- Authorisation from public utility services to confirm the precise locations of all services by contacting Dial Before You Dig on 1100.

5.2.5 Council requires the following information when assessing applications to open the road:

- Complete application form
- Valid Public Liability and Product Indemnity Insurance
- Any additional criteria in the application form for the activity.

5.2.6 Approvals to open the road are subject to compliance with the following criteria:

- Approval holders must report any excavation or works which rupture, pierce, and crack or otherwise affect any gas lines to the supply authority and the Local Police.
- All work shall be carried out with a minimum of obstruction to pedestrian and/or vehicular traffic. Warning signs and barriers complying with the Australian Standard shall be in place. The work must be carried out in accordance with all relevant safety regulations and Acts.
- Approval holders are required to uphold the maintenance and repair of any works constructed within the road reserve in the nature of pits, conduits, pipes and cables and like structures.

- Excavation is to be through neatly saw cut openings. Tunnelling or boring of roadways, kerb & gutter, footpaths, or vehicular crossings is permitted, only after a written description of the proposed work is forwarded for approval by the Manager Infrastructure.
  - All spoil must be removed from the site and disposed of at an approved location by the approval holder at their cost.
  - Surrounding road surfaces and gutters must be swept regularly during the works and cleared of any silt or other materials.
  - No excavated material from the opening is to be used as backfill under roads, paved footpaths, or concrete vehicular crossings. All trenches and openings must be backfilled with clean fill sand and compacted appropriately.
  - Backfill within roadways is to be determined by Council and indicated on the application form.
  - Approval holders must ensure that pollution of Council's drainage system does not occur by either excavated or fill materials during works. Pollution of Council's drainage system can result in fines and clean-up costs.
  - Approval holders are responsible for compliance with all requirements of occupational health and safety legislation and shall assume the responsibility of Principal Contractor when undertaking work on Council owned roads.
  - Approval holders are responsible for any damage to public utilities, private services or other damage resulting from the proposed work.
  - All permanent reinstatement to be carried out by Georges River Council unless approved by Council. All conditions of reinstatement will be listed on the application form.
  - Approval holders must ensure that the site is barricaded at all times for the duration of works and maintained in a safe and tidy state until Council carries out final restoration. Until final restoration is carried out by Council, the approval holder is responsible for the safety of the site.
  - All claims for damages allegedly arising because the works were carried out in an unsafe manner or left in an unsafe state to endanger the approval holder's company, contractors, subcontractors, employees the public or any other persons, shall be the sole responsibility of the approval holder as the Principal Contractor.
- 5.2.7 The Council reserves the right to issue a separate consent under section 239 of the *Road Act 1993* to the owner of any adjoining property upon whose behalf the applicant has made this application.
- 5.2.8 Inspections by Council officers may be made during works to ensure the above conditions are being adhered to. Should it be found that any of the

conditions are not being adhered to, Council may carry out the rectification and invoice the applicant for costs. If council has found the Applicant at the time of lodgement has under quoted the total area of the actual restoration, an invoice will be forwarded to the Applicant for the balance of fees.

## 6. **Carry out stormwater drainage work (B5)**

### **Stormwater Drainage**

#### 6.1 Policy Exemption

6.1.1 No exemption applies where the works are to be carried out in public places unless approval has already been obtained from the Council under the *Roads Act 1993* or the Georges River Council Stormwater Management Policy and any relevant standards and policies of public authorities applying to the use of the road.

#### 6.2 Approval Assessment Criteria

6.2.1 Approvals to undertake stormwater drainage work in the LGA are under the authority of Georges River Council (or relevant roads authority such as NSW Roads and Maritime Services).

6.2.2 Applications to carry out stormwater drainage work can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Applications must be submitted within the time frame specified in the Advisory Notes section of the application form.

6.2.3 Council requires the following information when assessing applications for stormwater drainage:

- Complete application form
- Valid Public Liability and Product Indemnity Insurance
- Any additional criteria in the application form for the activity.

6.2.4 Approvals to carry out stormwater drainage work must be in accordance with:

- Approval given by council for the opening of the road (if applicable) – See "Road Opening" in the GRC Local Approvals Policy.
- The George's River Council Stormwater Management Policy
- *AS/NZS 3500.3 Plumbing and drainage – Part 3: Stormwater.*

## APPENDIX C

### PART C: Management of waste

#### 7. For fee or reward, transport waste over or under a public place

##### 7.1 Legislative Exemption

7.1.1 Exemption applies under Subsection 48(a) of the *Local Government (General) Regulation 2021* when:

- the activity is licensed under the *Protection of the Environment Operations Act 1997*, or
- the activity is being carried out in the Sydney metropolitan area as defined in Part 3 (Interpretative provisions) of Schedule 1 to that Act, or
- the waste is being transported through the area of the council and is not being collected or deposited in that area.

#### 8. Place waste in a public place

##### 8.1 Legislative Exemption

8.1.1 Exemption applies under Subsection 48(b) of the *Local Government (General) Regulation 2021* if it is done in accordance with arrangements instituted by the council.

#### 9. Place a waste storage container in a public place

##### **Placing of a Skip Bin in a Public Place**

##### 9.1 Legislative Exemption

9.1.1 Exemption applies to the placing of waste in a public place under Subsection 48(b) of the *Local Government (General) Regulation 2021* if it is done in accordance with arrangements instituted by the council.

##### 9.2 Approval Assessment Criteria

9.2.1 Applications to place a skip bin in a public place on the road can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Applications must be submitted within the time frame specified in the Advisory Notes section of the application form.

9.2.2 Applications to place a skip bin in a public place will be assessed with regard to:

- The provisions of Section 27 of the *Local Government (General) Regulation 2021*.
- The proposed placement of the waste storage container in relation to the *Road Rules 2014*.

9.2.3 Council requires the following information when assessing applications for the placement of a skip bin in a public place:

- Completed application form.
- Valid Public Liability and Product Indemnity Insurance

- Drawing or plan showing the location, type, and length of work proposed.
  - Evidence of approval from the providers of affected services (for example, Telstra, gas) (if applicable).
  - Any additional criteria in the application form for the activity.
- 9.2.4 Approvals to place a skip bin in a public place are subject to the following conditions:
- The placement of a waste skip bin must not restrict access to any service that may be contained in the road reserve. The approval holder should contact the relevant utility company and determine their requirements if they are unsure whether the placement of the waste skip bin will cause any risk of injury to person or property or inconvenience to the public.
  - Waste skip bins cannot be placed on the road where motor vehicles are prohibited from parking or stopping as set out in.
  - No waste skip bin will be permitted in locations that obstruct vehicular traffic entering or leaving premises.
  - Locations that interfere with the sight lines of, or visibility to, drivers/vehicles, cyclists or pedestrians entering or leaving premises;
  - No waste skip bins will be permitted in locations, which will create risk or injury to persons.
  - No waste skip bins will be permitted in locations which obstruct access to utility services or other devices which may require 24-hour servicing.
  - Acceptable dimensions for waste skip bins placed on the carriageway or footpaths / verges, as recommended by the NSW Roads & Maritime Services indicated on the application form.
  - Irrespective of the colour of the container, retro-reflective tape must be used. This tape is to be applied around the entirety of the rim on all bins and is to have a minimum width of 50mm. In locations considered to be dangerous, retro-reflective tape should also be applied to the faces of the bins.
  - Flashing yellow lights should be mounted on the waste skip bin when placed within the road reserve at locations that are poorly lit (i.e., where there is no street lighting). These lights should be mounted on the front and rear panels, so that they are visible to oncoming traffic in both directions and operates during hours of darkness.
  - The waste skip bins must only be painted from the colours listed below. These are the only Road and Maritime Services (RMS) approved colours for bulk and skip waste containers which are listed in Australian Standard AS 2700S-1996, Colour Standards for General Purposes.

- Each bin is to have the name of the supplier and a 24-hour contact phone number clearly indicated on the side of the container. Council will not allow waste skip bins without adequate identification to be placed in public places.

9.2.5 Skip bins are a workplace within the meaning of the *Work Health and Safety Act 2011*, and as such Safe Work NSW would apply appropriate warnings, fines, and prosecution if any public safety aspect came to its attention.

#### **10. Dispose of waste into a sewer of the Council.**

##### 10.1 Legislative Exemption

10.1.1 Exemption applies under Subsection 48(c) and (d) of the *Local Government (General) Regulation 2021* if it is done in accordance with arrangements instituted by the council.

#### **11. Install, construct, or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.**

##### 11.1 Legislative Exemption

11.1.1 Exemption applies to the installation, construction, or alteration of a waste treatment device under Subsection 48(e) of the *Local Government (General) Regulation 2021*. If that installation, construction, or alteration is done:

- under the authority of a licence in force under the *Protection of the Environment Operations Act 1997*, or
- in a vessel used for navigation, or
- in a motor vehicle that is registered within the meaning of the *Road Transport Act 2013* and is used primarily for road transport.

#### **12. Operate a system of sewage management (within the meaning of Section 68A)**

##### 12.1 Legislative Exemption

12.1.1 Exemption applies to the installation the operation of a system of sewage management under Subsection 48(f) of the *Local Government (General) Regulation 2021* as it is limited to an action carried out—

- under the authority of a licence in force under the *Protection of the Environment Operations Act 1997*, or
- in a vessel used for navigation, or
- in a motor vehicle that is registered within the meaning of the *Road Transport Act 2013* and is used primarily for road transport.

## APPENDIX D

### PART D: Community Land

#### 13. Engage in a trade or business

##### Film Production

##### 13.1 Policy Exemption

- 13.1.1 Exemptions apply for photography or filming in the local area if the activity:
- Includes no more than 3 crew members in attendance at any one time.
  - Involves the use of handheld equipment only.
  - Occurs in public open spaces or on footways only.
  - Does not involve filming or photographing community members without their prior consent.

##### 13.2 Approval Assessment Criteria

- 13.2.1 Applications to film in the LGA can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Applications must be submitted within the time frame specified in the Advisory Notes section of the application form.

- 13.2.2 Applications to film in the LGA will be assessed concerning:

- *NSW Local Government Filming Protocol 2009*
- Section 118 of the *Local Government (General) Regulation 2021*
- Part 2, Division 3, Subdivision 4 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

- 13.2.3 When considering an application for film production, Council requires the following information:

- Complete application form
- Valid Public Liability and Product Indemnity Insurance
- Traffic Control and Parking Management Plan (when street closure required)
- Any additional criteria in the application form for the activity.

- 13.2.4 Applications involving temporary or partial road closures, pyrotechnics or a Development Application Form must be submitted at least 16 weeks prior to the Production.

- 13.2.5 Approvals to operate a film production is contingent upon:

- *NSW Local Government Filming Protocol 2009*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- Approval to set up, operate or use a loudspeaker or sound amplifying device (is applicable) – See "Sound Amplifying Devices" in the GRC Local Approvals Policy.

- Approval given by a council for the restriction of access to road lane or footpath (if applicable) – See “Road Lane or Footpath Closure” in the GRC Local Approvals Policy.
- Approval given by a council for the erection or use of a temporary structure for filming (if applicable) – See “Temporary Enclosure” in the GRC Local Approvals Policy.
- Approval given by the Environment Protection Authority for an open fire (if applicable).
- Approval given by the NSW Police Force for the discharge of firearms (if applicable).
- Approval given by the Department of Primary Industries, Crown Land Division, for the use of Crown land (if applicable).
- The Council conditions for approval as listed below.

#### 13.2.6 Parking

- All crew, cast and extras must park in accordance with normal requirements unless special arrangements have been approved by the local council or Police.
- Vehicles associated with the production should comply with traffic and parking regulations and not park in disabled parking spots, driveways, or restricted zones.
- Find nearby parking spaces for non-essential vehicles if you are going to be at a location for a number of days.
- Trucks should not be parked in front of active restaurants.
- Generator trucks should not be parked in front of residential buildings.
- Make sure that trucks and other vehicles fit under trees to avoid damage to branches.

#### 13.2.7 Noise

- Keep noise to a minimum, particularly when arriving in a neighbourhood before 7am or during night shoots.
- Make sure generators are silenced. Truck engines should not be left idling under residents’ windows.
- Avoid playing car radios loudly and be aware of the noise level of walkie talkies near residences and businesses.

#### 13.2.8 Traffic

- Production personnel must co-operate with state agencies and local council to maintain efficient traffic flows and the safety of other road users.
- Traffic stopping and traffic diversions must be carried out by properly authorised personnel and in accordance with a traffic management plan agreed by local council and if necessary, RTA.

- Pedestrian traffic should not be obstructed at any time unless stipulated in the permit and all cables are to be channelled neatly and safely.

#### 13.2.9 Shops and businesses

- Do not loiter in front of shops or residences and block the access of the local community.
- Do not block buildings or keep equipment in front of buildings that are not working directly with the shoot.
- Do not stack equipment in front of closed shopfronts when there is an early call – the business owners will need to open on time and receive deliveries.
- Crews should be encouraged to patronise local businesses during breaks.

#### 13.2.10 Emergency and essential services access

- Access to fire exits or utilities (e.g., electricity, water, telephone lines) and emergency vehicle access must not be impeded.

#### 13.2.11 Risk management and occupational health and safety

- Abide by film industry safety practices, especially in relation to special effects, stunts and the use of firearms and weapons.

#### 13.2.12 After the shoot

- Leave the location clean and tidy and in its pre-filming condition.
- Only leave fixtures and fittings at the location where this is requested or approved by the local council.
- Report any damage.
- Undertake a site inspection with the council or approving authority's Film Contact Officer if required.

### **Fundraising for a non-commercial organisation**

#### 13.3 Policy Exemptions

13.3.1 There are no exemptions from the necessity to obtain approval under this policy for fundraising within the Georges River Local Government Area.

#### 13.4 Approval Assessment Criteria

13.4.1 Approval for fundraising can be gained through applying to hold a temporary stall on the council's website at [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Application forms must be submitted within the time frame specified in the Advisory Notes section of the application form.

13.4.2 Applications to fundraise will be assessed with regard to:

- The provisions of Section 50 of the *Local Government (General) Regulation 2021*.
- Subsections 139A and 139F of the *Roads Act 1993*
- Charitable Fundraising Act 1991

- NSW Food Authority Guideline – Food Safety Requirements for Charitable, Not-for-Profit Organisations (where fundraising involves the sale of food)
- 13.4.3 When considering an application for Fundraising, Council requires the following information:
- Complete application form
  - Valid Public Liability and Product Indemnity Insurance
  - Authorisation to fundraise by the Office of Liquor, Gaming and Racing (if applicable)
  - Authorisation to fundraise from NSW Fair Trading (if applicable)
  - Any additional criteria in the application form for the activity.
- 13.4.4 Approvals to fundraise are subject to compliance with the following:
- The activity is permitted only between the hours of 8:00 am and 8:00 pm. Each session is limited to a maximum of 2 hours and must take place within Council-designated land locations as specified in Appendix G.
  - The activity is permitted to be conducted with 1 stall with a table no larger than 2 metres by 1 metre. The stall is to be managed by no more than 3 representatives at any given time.
  - Representatives are required to comply with the code of conduct by every in the application form at all times.
  - Organisations can apply for a maximum of 12 occasions in a calendar year but not more than one occasion per month.
  - Any additional approval conditions listed in the application form or approval documentation.
  - Not involve the use of a public address, sound amplifying device or signage not directly attached to the table, such as free-standing banners or flags.
  - Not permit the sale of potentially hazardous foods or food not for immediate consumption as per the NSW Food Authority's Guidelines for Food Businesses as Temporary Events 2020.

#### **14. Direct or procure a theatrical, musical, or other entertainment for the public.**

##### **External Event**

##### **14.1 Policy Exemptions**

- 14.1.1 Applicants are exempt from approval to hold an external event when the activity:
- is located in a public park or reserve and will be attended by fewer than 100 people.
  - is a sporting activity part of a local club.
  - is a photo shoot or wedding (booked through grcparks@georgesriver.nsw.gov.au).

- is a small street party (less than 100 people).
- is taking place in one of Council's entertainment facilities or community halls (booked through [entertainment@georgesriver.nsw.gov.au](mailto:entertainment@georgesriver.nsw.gov.au)).
- is taking place in one of Council's library rooms or facilities (booked through [library@georgesriver.nsw.gov.au](mailto:library@georgesriver.nsw.gov.au)).
- is taking place in Hurstville Museum and Gallery (booked through [museumgallery@georgesriver.nsw.gov.au](mailto:museumgallery@georgesriver.nsw.gov.au)).

14.1.2 Applicants holding a small street party are required to gain a permit to close the road lane or footpath. See "Road Lane or Footpath Closure" of the Local Approvals Policy.

#### 14.2 Approval Assessment Criteria

14.2.1 Applications to hold an event can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Application forms must be submitted within the time frame specified in the Advisory Notes section of the application form.

14.2.2 Applications to hold an event must be submitted with all necessary documentation for approval including:

- Complete application form
- Valid Public Liability and Product Indemnity Insurance
- Site Plan (Including Stallholder bump-in/bump-out map)
- Risk Management Strategy/Plan
- Engineers Certificate
- Alcohol Management Plan (if applicable)
- Neighbour Notification
- Road Lane or Footpath Closure (if applicable)
- Consumption/Liquor Licence Application (if applicable)
- Support In-Kind Request Form (if applicable)
- Fireworks Display Notification (if applicable)
- Traffic Control Plan (TCP) (if applicable)
- Traffic Management Plan (TMP) (if applicable)
- Any additional criteria in the application form for the activity.

14.2.3 Documents required within the application for the display of fireworks include:

- Safe Work notification issued under the NSW Explosives Act
- Pyrotechnic certificate of currency for liability insurance
- Job Safety and Environmental Analysis and Risk Assessment
- Current Safework licences
- Workers Compensation Insurance.

14.2.4 Application forms must be completed in full and received 12 weeks prior to the Event date or no approval will be granted.

- 14.2.5 Application forms involving temporary or partial road closures, pyrotechnics or a Development Application Form must be submitted at least 16 weeks prior to the Event.
- 14.2.6 Approvals to operate a event is contingent upon:
- The requested location for the activity will be evaluated individually to ensure that clearance requirements and accessibility standards are met. The Council will have the final decision on the locations for approved activities. It is the responsibility of the approval holder to ensure that all activities are conducted solely within the approved area.
  - Temporary event signs must comply with Part 2, Division 2, Subdivision 11 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
  - Noise level emissions must not cause offensive noise and must comply with the NSW Environment Protection Authority's *Noise Guide for Local Government* and the *Protection of the Environment Operations Act 1997*.
  - Adequate toilet facilities including accessible units will need to be supplied at the event approval holder's cost if your event exceeds the venue's available capacity.
  - Council recommends the following ratios for sanitary facilities:
    - a) Under 249 people: 1 to 6 toilets
    - b) 250 people: Minimum of 6 toilets
    - c) Over 251 people: 6 toilets plus a minimum of 1 additional toilet per 250 people.
  - Depending on the event, time of year and location the approval holder may be required to cover the cost of additional services to Council toilet facilities used during the events.
  - Parking of vehicles must be managed so as not to cause a nuisance to surrounding properties/areas.
  - No items may be staked into Councils sporting fields or parks.
  - Approval given by the Council to set up, operate or use a loudspeaker or sound amplifying device (is applicable) – See "Sound Amplifying Devices" in the GRC Local Approvals Policy.
  - Approval given by a council for the restriction of access to road lane or footpath (if applicable) – See "Road Lane or Footpath Closure" in the GRC Local Approvals Policy.
  - Approval given by a council to construct a marquee, stall, or tent (if applicable) – See "Temporary Enclosures" in the GRC Local Approvals Policy.
  - Approval given by a council to install or operate an amusement device (if applicable) – See "Amusement Devices" in the GRC Local Approvals Policy.

- *Development Consent may be required.*
- 14.2.7 Approval holders must comply with the following legislation throughout the use of the permit:
- *Food Act 2003*
  - *Food Regulations 2015*
  - *Food Standards Code Legislation*
  - NSW Food Authority's Guidelines for Food Businesses as Temporary Events 2020
  - *Roads Act 1993*
  - *Work Health and Safety Act 2011*
- 14.2.8 Associated Fees
- Full payment of all applicable fees is required prior to an Event Permit being issued.
  - In most circumstances an asset protection bond must be paid. The event applicant/approval holder is the authorised person and must undertake to pay Council the cost of any repairs to Council assets or infrastructure arising as a result of or in connection with the permitted event.
  - A pre- and post-event inspection may be required to determine appropriate asset protection bond, this will be carried out by Georges River Council staff.
- 14.2.9 Approval Documentation
- Council and the approval holder are each bound by the terms of the Permit upon signature. The approval holder must keep a signed copy of the Permit available at the event.
  - For Minor events, an acknowledgment letter will be issued advising the event may go ahead in line with information supplied to the Council.
  - For Mid or Major events, once supporting documentation is approved, an Event Permit will be issued setting out terms and conditions will be provided prior to the event.
- 14.2.10 Cancellation or suspension of an Approval
- Georges River Council reserves the right to refuse any application or cancel any permit with no refund for failure to comply with the relevant guidelines.
  - Georges River Council may also suspend the permit by giving at least 30 days written notice to the permit holder if the Georges River Council or any other external bodies require the site for events, festivals, or for any other purpose.
  - Where the Georges River Council suspends, relocates, amends, and/or cancels the permit, neither the permit holder nor any other person shall

be entitled to any payments, compensation, or damages of any kind from Georges River Council.

## **15. Construct a temporary enclosure for the purpose of entertainment**

### **Temporary Enclosure**

#### **15.1 Policy Exemption**

15.1.1 There are no exemptions from the necessity to obtain approval under this policy for constructing a temporary enclosure for the purpose of entertainment within the Georges River Local Government Area.

#### **15.2 Approval Assessment Criteria**

15.2.1 Applications to construct a temporary enclosure for the purpose of entertainment will be considered under approval for a film production, or external event permit. Applicants must specify on the application form that the activity requires approval a temporary enclosure for the purpose of entertainment.

15.2.2 Approval to construct a temporary enclosure for the purpose of entertainment will be contingent upon compliance with the relevant provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

##### **15.2.3 Temporary Structures for Filming**

- Temporary structures and alterations or additions to buildings for filming purposes must comply with Part 2, Division 3, Subdivision 5 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- Tents or marquees used for filming purposes must comply with Part 2, Division 3, Subdivision 6 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

##### **15.2.4 Events**

- Tents, marquees, or booths for community events must comply with Part 2, Division 3, Subdivision 7 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- Stages or platforms for community events must comply with Part 2, Division 3, Subdivision 9 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

## **16. For fee or reward, play a musical instrument or sing**

### **Street Performance**

#### **16.1 Policy Exemptions**

16.1.1 There are no exemptions from the necessity to obtain approval under this policy for street performances within the Georges River Local Government Area.

## 16.2 Approval Assessment Criteria

- 16.2.1 Applications for street performance can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Application forms must be submitted within the time frame specified in the Advisory Notes section of the application form.
- 16.2.2 Council requires the following information when assessing applications for streets performances:
- Complete application form.
  - Valid Public Liability and Product Indemnity Insurance
  - Parental Consent Form (if applicant is under 18 years of age)
  - Any additional criteria in the application form for the activity.
- 16.2.3 Approvals for street performance are subject to compliance with the following:
- Street performances can be undertaken between the hours of 8.00 am and 8.00 pm for a maximum of 2 hours within Council-designated land locations (Appendix G).
  - Any additional approval conditions listed in the application form or approval documentation.
  - It is the responsibility of the approval holder to ensure that all activities are conducted exclusively within these designated areas. Compliance with these restrictions is mandatory to maintain approval status.
  - No more than one group will be permitted to occupy a designated area at any one time.
  - Performers must inform nearby cafés, stores, and businesses of their plans before setting up.
  - Performers must keep their performance area clean and remove any materials used during the performance from the location.
  - Performers may accept voluntary donations in appreciation of their performance; however, donations are to be offered voluntarily and at the discretion of the audience.
  - The sale of goods and services is permitted under the condition that it complements the street performance.
  - Advertising and promotion are permitted in a manner that does not impinge pedestrians, only displayed during the performance period, and complements the street performance.
  - Street performers must abide by any reasonable direction given by an authorised Council officer or Police in relation to exercising the terms of the policy and approval.
  - An authorised Council Officer, any member of the NSW Police, Emergency Service personnel and any other authorised officer may require the busker to relocate to another busking site for the duration of

any particular works including emergencies that is being carried out in the area.

16.2.4 The following actions are not permitted by street performers:

- Perform excessively loud and disrupt business trading including retail or dining establishments, affect workplace performance or detract from residential or public amenities.
- Use obscene language or inappropriate acts that include nudity or that of an adult nature. Acts must be appropriate for all ages.
- Promote religious or political agendas.
- Set up any temporary structure such as a stall, table for the placement of equipment or cards, or stage.
- Engage in any hazardous type activities including acts with fire, knives and other dangerous goods, dangerous implements, materials or animals or drawing, marking, or affixing anything to the footway.
- Perform acts that are offensive but not limited to, racial, sexual, gender or disability.
- Demand or coerce donations from the audience (however, performers may receive voluntary donations).
- Advertise or promote goods for sale, other than products consisting of the artist's work.
- The use of non-domesticated animals will not be permitted as part of a busking performance.
- Buskers who use animals as part of their act:
  - a) Need to ensure that their act complies with RSPCA guidelines for the use of animals in entertainment.
  - b) Must comply with the *Domestic Animal Act 1994*.
  - c) Must provide a clean, comfortable, and safe environment for the animal while performing.
  - d) Must not put themselves, the animal, or any member of the public in danger at any time.
  - e) Will be wholly responsible for addressing any allegations of cruelty or misconduct directed against them.

## **17. Set up, operate, or use a loudspeaker or sound amplifying device**

### **Sound Amplifying Device**

#### **17.1 Legislative Exemption**

17.1.1 Exemption applies to the use of a loudspeaker or amplifying device under Section 49 of the *Local Government (General) Regulation 2021* if done:

- In accordance with a notice erected on the land by the council.

- In the circumstances specified, concerning the setting up, operation or use (as the case may be), in Part 1 of the local approvals policy applying to the land. Refer to the criteria outlined in Part 1: Local exemptions.

#### 17.2 Approval Assessment Criteria

- 17.2.1 Applications to set up, operate, or use a loudspeaker or sound amplifying device will be considered under approval for a film production, external event, or street performance permit. Applicants must specify on the application form that the activity requires approval for sound amplifying devices.
- 17.2.2 Approval to set up, operate, or use a loudspeaker or sound amplifying device is contingent upon notification to Council. Notification to Council is complete when the relevant application form is approved.

### 18. Deliver a public address or hold a religious service or public meeting

#### 18.1 Legislative Exemption

- 18.1.1 There are no exemptions from the necessity to obtain approval under this policy to deliver a public address or hold a religious service or public meetings within the Georges River Local Government Area.

#### 18.2 Approval Assessment Criteria

- 18.2.1 Approvals to deliver a public address or hold a religious service or public meeting can be gained through applying to hold a temporary stall on the council's website at [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Application forms must be submitted within the time frame specified in the Advisory Notes section of the application form.
- 18.2.2 In considering whether to approve the proposed activity, the Director of Community of Culture, must have regard to the:
- The reasonable propensity of the activity if undertaken in a Council-controlled area (as prescribed under paragraph 3), to:
    - a) Deliver social and community-related benefits.
    - b) Promote harmony or disharmony amongst community members.
    - c) affect the reputation of the local government area or Georges River Council.
    - d) Incite hatred or vilification against specific cohorts or demographics of the community.
    - e) Interfere with community amenity or enjoyment.
  - The extent to which a proposed activity, activity or gathering aligns with Council strategies, such as the Community Strategic Plan 2022-2032.
  - The Director, of Community and Culture, will provide approval (via Council letterhead) of the activity on behalf of the Council within 14 days. Organisers must keep a copy of the letter at the activity.
- 18.2.3 Approvals to deliver a public address or hold a religious service or public meeting are subject to compliance with the following:

- The activity is permitted only between the hours of 8:00 am and 8:00 pm. Each session is limited to a maximum of 2 hours and must take place within Council-designated land locations as specified in Appendix G.
  - The activity is permitted to be conducted with 1 stall with a table no larger than 2 meters by 1 meter. The stall is to be managed by no more than 3 representatives at any given time.
  - Representatives are required to comply with the code of conduct by every in the application form at all times.
  - Organisations can apply for a maximum of 12 occasions in a calendar year but not more than one occasion per month.
  - Any additional approval conditions listed in the application form or approval documentation.
  - Not involve the use of a public address, sound system or amplification or signage not directly attached to the table, such as free-standing banners or flags.
- 18.2.4 Georges River Council reserves the right to decline any application for the use of or the organising of public gatherings at any Council-owned or managed site, which may be deemed culturally sensitive, including but not limited to war memorials and monuments.
- 18.2.5 Organisers of an activity that involves a “public assembly” may also need to submit A Notice of Intention to the Commissioner of Police via the Local Area Command 28 days before the activity.
- 18.2.6 Political signs for election campaigns are regulated under the *Parliamentary Electorates and Elections Act 1912*.
- 18.2.7 Considerations for Aboriginal and Torres Strait Islanders can be addressed in line with Article 31 of the *UN Declaration on the Rights of Indigenous Peoples* and Subsection 36(d) of the *Local Government Act 1993*.

## APPENDIX E

### PART E: Public Roads

#### **19. Swing or hoist goods across or over any part of a public road by means of a lift, hoist, or tackle projecting over the footway**

##### **Road Lane or Footpath Closure**

##### 19.1 Legislative Exemption

19.1.1 No exemption applies where the activity is to be carried out in public places unless approval has already been obtained from the Council under the *Roads Act 1993* and any relevant standards and policies of public authorities applying to the use of the road.

##### 19.2 Approval Assessment Criteria

19.2.1 Applications to hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway require approval to close the road lane or footpath.

19.2.2 Applications to close a road lane or footpath can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Application forms must be submitted within the time frame specified in the Advisory Notes section of the application form.

19.2.3 Applications to hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway will be assessed in regard to:

- Section 94 of the *Local Government Act 1993*
- Sections 138 and 139F of the *Roads Act 1993*

19.2.4 Council requires the following information when assessing applications to close the road lane or footpath:

- Complete application form.
- Valid Public Liability and Product Indemnity Insurance
- Traffic and Pedestrian Plan prepared/undertaken by RMS accredited (ticketed) personnel.
- Pedestrian Control Plan
- Any additional criteria in the application form for the activity.

19.2.5 Approval will be determined by the provisions of Section 52 and 53 of the *Local Government (General) Regulation 2021*.

#### **20. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road**

##### **Temporary Structure – Hoardings, Scaffolding, Shoring or Ground Anchors**

##### 20.1 Legislative Exemption

20.1.1 No exemption applies where the works are to be carried out in public places unless approval has already been obtained from the Council under the *Roads Act 1993* and any relevant standards and policies of public authorities applying to the use of the road.

## 20.2 Approval Assessment Criteria

20.2.1 Applications to install a temporary structure on or above a road can be made on the NSW Planning Portal <https://www.planningportal.nsw.gov.au/>. Application forms must be submitted within the time frame specified in the Advisory Notes section of the application form.

20.2.2 Applicants seeking approval for the use of public land owned by the Council, such as footways and roadways, do not need to obtain Council consent. However, for other Council-owned areas, including parks, reserves, malls, and squares, Council approval may be required to lodge an application to install a temporary structure on or above a road.

20.2.3 Applications to install a temporary structure on or above a road will be assessed in regard to:

- Section 50 of the *Local Government (General) Regulation 2021*
- Section 115 and Section 138 of the *Roads Act 1993*
- *Roads Regulation 2018*
- Temporary structures must comply with Part 2, Division 3, Subdivision 1 and 2 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- Australian Standard 4687—2007, *Temporary fencing and hoardings*
- Australian Standard 1742.3: Manual of uniform traffic control devices, Part 3: Traffic control for works on roads.

20.2.4 When considering an application relating to the construction of a temporary structure, Council requires the following information:

- Complete application form.
- Valid Public Liability and Product Indemnity Insurance
- A drawing or plan showing the location, type and length of work proposed.
- RMS Traffic Control at Worksites (prepared by RMS Accredited Personnel).
- RMS Approval (for temporary structures on classified state roads).
- *Development Consent may be required.*

20.2.5 Approval to install a temporary structure on or above a road does not automatically permit the use of equipment (cranes and hoists) to swing or lift material across or over any part of a road. A separate approval to close the road lane or footpath must be gained to do so.

20.2.6 Approval for the installation of a temporary structure will be determined by:

- Section 94 of the *Local Government Act 1993*

- Section 139 of the *Roads Act 1993*
  - The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
  - Approval to swing or hoist goods across or over any part of a public road by means of a lift, hoist, or tackle projecting over the footway (if applicable) – See “Road Lane and Footpath Closure” in the GRC Local Approvals Policy.
  - Any additional approval condition listed in the application form or the approval documentation.
- 20.2.7 Approval holders are required to comply with the following legislation and guidelines for the duration of the permit approval:
- *Work Health and Safety Act 2011*
  - *Work Health and Safety Regulation 2011*
  - Codes of Practice issued by SafeWork NSW.
- 20.2.8 Approval for temporary structures does not guarantee their design or structural adequacy in meeting employer responsibilities under the *Work Health and Safety Act 2011* and Regulations 2017. Employers must design, install, and maintain overhead protection systems to safeguard the public from falling objects. Temporary approval under Section 68 of the *Local Government Act 1993* and the *Roads Act 1993* does not absolve employers from their statutory responsibilities under the *Work Health and Safety Act 2011*.

### **Business Use of Footways**

- 20.3 Policy Exemptions
- 20.3.1 There are no exemptions from the necessity to obtain approval under this policy for the outdoor dining, use of a-frame signage or display of goods within the Georges River Local Government Area.
- 20.4 Application and Approval Assessment Criteria
- 20.4.1 To apply for a Business Use of Footway Approval or a renewal of this approval, an application form must be completed and submitted that meets the application criteria laid out in the Business Use of Footways Customer Guide.
- 20.4.2 Applications for Business Use of Footways can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Application forms must be submitted within the time frame specified in the Advisory Notes section of the application form.
- 20.4.3 Georges River Council reserves the right to reassess and amend Approval Assessment Criteria to ensure compliance with the Business Use of Footway Policy at any time.

- 20.4.4 Applications for the Business Use of Footways will be assessed in accordance with:
- Section 50 of the *Local Government (General) Regulation 2021*
  - *Environmental Planning and Assessment Act 1979*
  - *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- 20.4.5 When considering an application for outdoor dining, council requires the following information:
- Completed application form.
  - Valid Public Liability and Product Indemnity Insurance
  - An identification diagram indicating:
    - a) Width of access for pedestrians,
    - b) Frontage of the site, size of the area proposed to be used for dining purposes, and
    - c) Location of proposed furniture and details of other street furnishing such as trees and details of existing obstructions (e.g., rubbish receptacles, hydrants etc).
  - A brochure/photograph of the type of furniture proposed to be used (tables and chairs situated on the footway are to be of a smart design and not of plastic construction).
  - Any additional criteria in the application form for the activity.
- 20.4.6 Approvals for the Business Use of Footways will be determined by compliance with:
- Section 125, 126 and 127 of the *Roads Act 1993*
  - The Council conditions for approval as listed below.
- 20.4.7 Any changes to existing approvals must be submitted to Council for consent including changes to business or company name, modification of the approved area or changes to existing awnings.
- 20.4.8 Transfer of Ownership
- Business Use of Footway Approval only applies to the premises for which it is issued and is not transferable from one owner to another on the sale or transfer of a business.
  - Before taking over an existing business or commencing a new business the business owner must apply to Council and pay any applicable fees.
  - Use of the footway is not permitted until approval has been granted and all Documentation has been finalised.
- 20.4.9 Approval documentation
- Approval holders must keep approval documentation on their person when undertaking the activity for presentation to an authorised Council officer upon request. Evidence of a current approval may consist of a display sticker, an executed agreement and relevant boundary markers.

#### 20.4.10 Associated Fees

- An agreement must be entered into between the approved trader and Council and includes the provision for an annual rental fee.
- Fees are calculated on a per-meter squared basis with a minimum approval area of 1m squared. If the applicant wishes to occupy less than 1m squared the fee charged will be for 1m squared.

#### 20.4.11 Public Liability

- A business use of the footway/public land approval will only be valid where adequate insurance cover is provided by the business owner.
- To ensure protection from claims that may arise the business operator must:
  - a) Present evidence of public liability insurance totalling a minimum of \$20,000,000 throughout the entire duration of the agreement. The insurance policy must be under the applicant's name.
  - b) Indemnify Georges River Council (as an interested party) against any public liability claims within the area between the front property boundary of the shop and the kerb line for the full frontage of the shop or area approved.
  - c) At least 2 weeks before the expiry date, provide the Council with a certificate of currency of insurance renewal for each annual approval period.
  - d) If the certificate of currency does not cover the full period of the Business Use of Footway Approval which is being applied for, then the applicant must provide details of how the certificate of currency will be managed to prevent the insurance cover from expiring.

#### 20.4.12 Cancellation or suspension of an Approval

- The permit holder may request the cancellation of a permit at any time. 30 days' notice of intention to cancel must be provided in writing to Georges River Council. No refund of permit fees paid in advance will be made.
- The permit holder will be given at least 14 days written notice of any footway maintenance works undertaken by the Georges River Council.

#### 20.4.13 Location Requirements

- Applicants must leave the following clearances from the kerb:
  - a) 2 metres when next to RMS classified road, or traffic moving at 20km/hour or more.
  - b) 1.5 metres when next to an accessible parking spot
  - c) 2 metres when next to a local road
  - d) 900mm when next to a loading zone
  - e) 600mm when next to normal parking conditions, or next to traffic moving at 20km/hour or less.

- Applicants must leave the following clearances from the public infrastructure:
  - a) 1 metre from fire hydrants, bins, payphones, public seats, and bike stands.
  - b) 500mm from other street furniture such as bollards, telecommunications pits, poles, trees, and shrubs.
- Applicants must leave the following clearances for pedestrians:
  - a) 2 continuous metres on the footway and from pedestrian crossings for the clear passage of footway users.
  - b) 10 metres from trading and advertising, including real estate signs, to ensure adequate sight lines for vehicles, cyclists, and pedestrians.
- Clearance from bus zones must be always maintained to provide direct access from the pedestrian zone when exiting a bus.
- Unsuitable locations for Footway Trading Zones are areas considered to be unprotected, elevated, steep, uneven, and unstable for the placement of goods, furniture, and signs. Corner intersections of high traffic flow may also be considered unsuitable subject to consideration by Council.
- No business use of footway approval will be approved adjacent to an accessible parking space.

20.4.14 In certain locations throughout Georges River Council Business Use of Footway is not permitted. Any person looking to apply should consult with the Council's Property Approvals Officer.

20.4.15 Adjacent Premises

- Should an approved trader seek to extend their Business Use of Footway across adjoining premises, written permission is required from the trader occupying the adjacent premises and remains subject to Council review and approval.
- This approval needs to be renewed annually and must be clearly marked on submitted plans (as per the application process).
- This approval would run with the owner of the adjacent business and not with the premises. Thus, the approval would be nullified if the business were to close or change hands.
- Furniture, goods, and services are permitted only outside the premises to which they relate and must be contained within the property line unless the above exemption/approval is valid.

20.4.16 Identification of Footway Trading Zones

- Approved areas are delineated by pavement markers fixed in the corners and are installed and maintained by the Council.
- A minimum of 2 markers will be used to identify each Footway Trading Zone.

- The approved trader must ensure that the Footway Trading Markers remain present, visible, and undamaged and must always operate within the markers.
- All furniture must be located within the defined trading zone at all times.
- Under no circumstances are kerbside approvals allowed to place furniture along the building line, even in inclement weather.

#### 20.4.17 Public Infrastructure

- The removal or relocation of any Council assets (for example: rubbish bins, existing street furniture and planter boxes) shall be subject to Council approval and will be at the applicant's cost.
- The removal or relocation of any public utilities, or infrastructure (e.g., traffic control boxes, Sydney Water drainage, sewerage pits and public telephone boxes) shall not be permitted unless justification on public benefit grounds is made to Council and consent has been obtained from all relevant authorities. Works will be carried out at the applicant's cost.
- Proposed footway changes may be considered by Council to enhance the streetscape.
- The design and works shall be in consultation with the Council and will be at the applicant's cost.
- No compensation or refund of approval fees is provided for any inconvenience or loss of trade as a result of works carried out by Council or service providers on Council-owned footways, plazas, and public areas.
- The approval holder accepts the condition of the footway when the approval is issued. At the expiration of the term, the approval holder is to remove and restore the area to the Council's requirements.
- Any cost for restoration by the Council will be at the approval holder's expense.

#### 20.4.18 Safety & Accessibility

- The applicant must provide access for people with disabilities in accordance with the *NSW Disability Inclusion Act 2014* and Section 23 of the *Disability Discrimination Act 1992*.
- Business use of the footway must not reduce the safe egress of people from the business premises. As such, compliance with the *National Construction Code 2020 - Volume One Amendment 1*, is required to facilitate adequate access.
- Under Section DP1 of the *National Construction Code 2020* access must be provided, to the degree necessary, to enable—
  - a) People to—

- i. Approach the building from the road boundary and any accessible car parking spaces associated with the building; and
  - ii. Approach the building from any accessible associated building; and
  - iii. Access work and public spaces, accommodation, and facilities for personal hygiene; and
- b) Identification of accessways at appropriate locations that are easy to find.
- Under Section DP2 of the *National Construction Code 2022*, so that people can move safely to and within a building, it must have—
    - a) Walking surfaces with safe gradients
  - Any modifications to footways to address workplace health and safety concerns, slope issues, or uneven surfaces must strictly adhere to Council specifications, oversight, and approval processes.
  - In instances where footway adjustments are necessary, a fee will be charged as determined by Council staff. The cost of the fee will reflect the value of adequately mitigating risks associated with the proposed works.

#### 20.4.19 Maintenance and Cleaning

- Furniture must remain clean and well-maintained. Environmentally safe cleaning methods must be used at all times.
- Where outdoor dining areas adjoin nature strips or garden areas, operators must ensure that all waste generated from their premises and by their customers (including cigarette butts) is promptly removed.
- Litter generated by footway trading must be picked up and deposited in the business's bins kept within the premises.
- Ensure the pavement is kept clean at all times.
- If pressure cleaning is required to remove grease/oil food spills from the footway this is the responsibility of the approval holder.

#### 20.4.20 Selling and Consumption of Liquor

- Any outdoor dining area where it is intended to serve alcohol requires a separate licence under the *NSW Liquor Act 2007*. Separate permission must be obtained from the Police Local Area Command. Further information can be obtained from the NSW Office of Liquor and Gaming.
- Liquor licences are to be submitted with a Footway Trading Application and must update the Council on licensing changes during the life of the Footway Trading Approval.
- Council, in its absolute discretion (within the agreement), reserves the right to prohibit the sale or consumption of alcohol within the approved

area, should it be considered that such activities would detrimentally affect the use of the footway, by the general public or generate negative publicity regarding the Council's Local Approvals Policy and public amenities.

## 20.5 Requirements for Outdoor Dining

### 20.5.1 Footway Furniture

- Footway furniture includes shade structures, tables, chairs, display stands, heaters, umbrellas, perimeter barricades and planter boxes.
- All furniture must be approved by the Council and will be considered on a case-by-case basis.
- All furniture must be located within the defined trading zone at all times.
- All footway furniture must be temporary and must be removed at the close of business each day.
- Outdoor furniture should be made from high-quality materials and enhance the character of the street.
- No furniture or items are to be fixed to the footway.
- No part of the footway is to be used for storage at any time.

### 20.5.2 Umbrellas

- Commercial grade, portable, collapsible, market-style umbrellas are permitted, and they must be made of fire-retardant material.
- Umbrellas should not exceed a maximum canopy area of 3m x 3m and must provide a minimum vertical clearance of 2m from the lowest point to ground level. Umbrellas are to be no wider than the approved outdoor trading area.
- To ensure pedestrian safety, umbrellas must be stable, suitably counter-weighted, and securely anchored with a removable stand to prevent movement. Additionally, they should be closed during windy weather conditions.

### 20.5.3 Heating Devices

- Heaters must meet the standards outlined in AS46-2004 for Radiant gas heaters, both for outdoor and non-residential indoor use, to prevent fire hazards. They are to have automatic shut-off features if overturned, and businesses must have sufficient fire safety equipment on hand.
- The number and layout of proposed heaters must be proposed in the application, along with any supporting fire safety equipment.
- Heaters must be turned off and safely stored inside the premises when not being used.
- Heaters must not use gas mains or electrical extension cords.

### 20.5.4 Perimeter Barricades

- Perimeter Barricades including barricades, safety rails, and bollards must comply with Part 2, Division 1, Subdivision 8A of the *State*

*Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

- Under Subdivision 8A “Bollards” the following standards must be complied with:
  - a) Be not higher than 1.4m above ground level (existing), and
  - b) Not have a diameter of more than 600mm, and
  - c) Be associated with any of the following development - commercial premises,
  - d) Not reduce any existing means of entry to, or exit from, any such associated development or the lot on which it is situated.
- Additional requirements instituted by the council include:
  - a) Length of any solid barrier is to be a maximum of 2m long.
  - b) Perimeter barricades must not contain advertisements.
  - c) Barriers may be considered between adjoining cafe areas to show clear demarcation lines between business activities.
- Moveable planter boxes may be used solely at the Council’s discretion.

#### 20.5.5 Lighting

- Where the approved footway trade extends to after-dark lighting must be provided to the outdoor area. Lighting must be suitable for commercial use and location and ensure safety and amenity.
- Lighting must not cause a nuisance to other neighbouring properties or motorists on nearby roads. Nor cause an adverse impact on the amenity of the surrounding area through light overspill or glare.

#### 20.6 **Requirements for Display of Goods**

- 20.6.1 Goods displayed must typically be available for sale in the nearby shop and adhere to all regulations regarding safe food production, storage, display, packaging, and handling when exhibiting food items.
- 20.6.2 Display stands for the purpose of display of goods must comply with AUSTROADS Guide to Road Design Part 6A: Paths for Walking and Cycling, Section 5 Design Criteria.
- 20.6.3 The display should be located against the building line of the shop and must leave an unobstructed accessway into the shop and unobstructed access to any fire exit, fire door, or pathway to a fire exit or fire door. The display cannot be located outside an adjacent premises.
- 20.6.4 The display structure must not be attached to the footway, street poles, or any other street furniture or infrastructure with metal bolts, padlocks, chains or the like and must not damage the surface of the footway, including when it is being moved at the start and end of trading.
- 20.6.5 The display should be placed to maintain the following clearances around it (measured from the nearest point of the display to the nearest point of the identified item):

- a) 1m from any service object including fire hydrant, utility pit, vents, drains, public seat, bike rack or ring, pay phones, parking meters, rubbish bins and the like.
- b) 1m from pedestrian and signalised crossings, kerb ramps, any landscaped area, street tree pit or grate.
- c) 2m from the corner alignment of the building at street intersections. This is to allow for a clear line of sight to the intersection.
- d) 3m from bus zones, public transport stops, public transport access points, and taxi stands.
- 20.6.6 The goods should be displayed on a structure or stand:
- a) Goods stand must measure between a minimum of 70cm and a maximum of 100cm in height.
- b) Goods stand must measure between a minimum of 100cm and maximum of 300cm in width.
- c) No more than 600mm deep, when measured perpendicular to the shopfront or the building line.
- 20.6.7 The display structure is to be designed:
- a) To keep the street tidy and free of clutter.
- b) To be durable and weather resistant.
- c) To prevent goods being blown about by wind.
- d) So as not to compromise trolleys, shopping baskets, crates or packing boxes.
- e) Maintained in good repair, free of broken elements.
- f) Without electrical power, lighting, heating, or refrigeration.
- g) Without mirrored or reflective surfaces.
- h) The display must not contain the following goods.
- i) Sharp, dangerous, or protruding items (for instance, uncovered hardware items).
- j) Goods that may damage or stain the pavement (for example, oils or dyes).
- k) Perishable foods (including meat, fish, shellfish, poultry, dairy or cooked rice) other than fresh fruit and vegetables.
- 20.6.8 The display must be removed from the footway outside the approved operating hours of the adjacent shop, or between 10.00 pm and 7.00 am the next day if the shop is approved to trade between 10.00 pm and 7.00 am the next day.

## 20.7 Requirements for A-frames

### 20.7.1 Signage/Advertising

- Signage and Advertising must comply with the relevant requirements outlined under Part 2, Division 2, Subdivision 1 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

- Under Subdivision 1 “General Requirements for Advertising and Signage” the following standards must be complied with:
  - a) Have the consent in writing of the owner of the land on which the sign is to be located and, if the sign or part of the sign projects over adjoining land, the consent of the owner of the adjoining land, and
  - b) Be approved under Section 138 of the *Roads Act 1993*, if the sign or part of the sign projects over a public road, including a footway, and
  - c) Not be carried out on or in relation to a building being used as restricted premises, and
  - d) Not cover any mechanical ventilation inlets or outlets located on any building on which it is carried out, and
  - e) Not obstruct or interfere with any traffic sign, and
  - f) Not result in more than 3 business identification signs being constructed or installed in relation to a building if the building houses only 1 commercial tenant, and
  - g) Not result in more than 6 business identification signs being constructed or installed in relation to any building, and
  - h) Not result in more than 1 business identification sign being constructed or installed in relation to a home business, home industry or home occupation in a residential zone, and
  - i) Not be under or attached to an awning, unless the awning complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the Building Code of Australia.
- All signs must be portable, free-standing, stable, windproof and of high quality as determined by the specifications in the application process. Only one portable sign per street-frontage premises will be considered unless the combined shop frontage is greater than 11 meters.
- Sign dimensions are to be between 0.75 meters and 1.1 meters in height, with a maximum width of 0.65 meters.
- All signs must display a current Approved Sign/Stand sticker.
- Advertising and signage must be in English but can include translations into other languages, ensuring accuracy and completeness, with translated text not larger than the English version.
- Prohibited signs are those which are electric, illuminated, flashing, revolving, or spinning signs. Signs are not to be placed within 3 metres of a street corner or an arcade, or fixed to the footway, poles, or infrastructure.

#### 20.7.2 Real Estate Advertising Sign

- Real Estate Directional and Pointer Advertising Signs must comply with Part 2, Division 2, Subdivision 12 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- Under Subdivision 12 “Real Estate Signs” the following controls apply to all portable advertising signs used for the purposes of advertising the location of a property for sale/lease/auction etc. to be displayed on public land:
  - a) A maximum of 1 pointer/directional sign may be placed per agency per intersection.
  - b) The maximum number of pointer/directional signs per property is 3.
  - c) The maximum size of any one sign cannot exceed 60cm wide and 50cm high.
  - d) Any one sign cannot be displayed above 70cm of the existing ground level.
  - e) Signs must display the business name, contact number of the associated business and the property address details for its corresponding viewing, open house, or auction.
  - f) Signs are not permitted to be placed on any dividing strip, roundabouts, traffic islands or roads.
  - g) Signs must be designed and installed to avoid the likelihood of becoming dislodged and becoming a hazard.
- Regarding “Real Estate Signage” of the Local Approvals Policy, an annual fee will be payable per business rather than per sign.
- Council retains the right to take possession of any sign that it reasonably believes is causing an access obstruction or safety risk with holding fees payable for the release of any signs taken into possession.

## APPENDIX F

### PART F: Other Activities

#### 21. Operate a public car park

##### 21.1 Legislative Exemption

21.1.1 Exemption applies under Section 66 of the *Local Government (General) Regulation 2021* for the operation of a public car park:

- If approval for its erection or operation has already been given by the council in connection with another approval or development consent and the car park complies with any applicable conditions of that approval or development consent.
- In this Section, development consent has the same meaning as it has in the *Environmental Planning and Assessment Act 1979*.

##### 21.2 Approval Assessment Criteria

21.2.1 Applications to operate a public car park will be determined by the provisions of Sections 52 and 53 of the *Local Government (General) Regulation 2021*.

21.2.2 Approvals to operate car parks are subject to compliance with Sections 54 and 55 of the *Local Government (General) Regulation 2021*.

#### 22. Install a domestic oil or solid fuel heating appliance, other than a portable appliance

##### 22.1 Legislative Exemption

22.1.1 Exemption applies under Section 70 of the *Local Government (General) Regulation 2021* to install domestic oil or solid fuel heating appliance (other than a portable appliance) if details of the appliance are included in plans and specifications for the relevant building approved under Part 6 of the *Environmental Planning and Assessment Act 1979*.

##### 22.2 Approval Assessment Criteria

22.2.1 Applications to install a domestic oil or solid fuel heating appliance can be made on the NSW Planning Portal <https://www.planningportal.nsw.gov.au/>.

22.2.2 Applications to install a domestic oil or solid fuel heating appliance (other than a portable appliance) will be assessed in accordance with Section 67 of the *Local Government (General) Regulation 2021*.

22.2.3 Approvals to install a domestic oil or solid fuel heating appliance (other than a portable appliance) are subject to the following conditions:

- Compliance with Section 68 and 69 of the *Local Government (General) Regulation 2021*.
- Compliance with NSW Environment Protection Authority, *Environmental Guidelines for Selecting, Installing and Operating Domestic Solid Fuel Heaters* (1999).
- Certification from a suitably qualified person is provided to the Council confirming that the installation of the solid fuel heater has been carried

out in accordance with the approved plans and specifications and the Approval Assessment Criteria.

- Certification is to be submitted to the Council after completion of all works and before the initial operation of the unit.

### **23. Install or operate amusement devices (within the meaning of the Construction Safety Act 1912)**

#### **Amusement Devices**

##### **23.1 Legislative Exemption**

23.1.1 Exemption applies under Section 71 of the *Local Government (General) Regulation 2021*:

- Amusement devices not required to be registered under the *Work Health and Safety Regulation 2017* may be installed or operated without the prior approval of the council.

23.1.2 Exemption applies under Section 75 of the *Local Government (General) Regulation 2021*.

- A small amusement device may be installed or operated without the prior approval of the council if –
  - a) The ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason, and
  - b) The device is registered under the *Work Health and Safety Regulation 2017*, and
  - c) The device –
    - Is to be or has been erected, and
    - It to be or is being operated,
    - In accordance with all conditions (if any) relating to its erection or operation set out in the current certificate of registration issued for the device under that Regulation, and
  - d) There exists for the device a current logbook as referred to in Regulation, Chapter 5, Part 5.2, Division 4, Subdivision 2, and
  - e) In the case of a device that is to be or is installed in a building, fire egress is not obstructed, and
  - f) There is in force a contract of insurance or indemnity for the device that complies with Section 74.

##### **23.2 Approval Assessment Criteria**

23.2.1 Applications for the installation or operation of amusement devices will only be considered under an Event Permit. Applicants must specify on the application form that the activity requires approval to install or operate an amusement device.

- 23.2.2 Applications to install or operate amusement devices will be assessed in regard to Section 72 of the *Local Government Regulation 2021*.
- 23.2.3 Approvals to install or operate amusement devices are required to comply with Section 73 of the *Local Government Regulation 2021*.
- 23.2.4 Approval for installing or operating an amusement device is granted when the event permit is approved, and the event holder receives the approval documentation.

**24. Use a standing vehicle or any article for the purpose of selling any article in a public place.**

**Temporary Stalls (not food related)**

24.1 Policy Exemptions

- 24.1.1 There are no exemptions from the necessity to obtain approval under this policy for temporary stall within the Georges River Local Government Area.

24.2 Approval Assessment Criteria

- 24.2.1 Applications to erect and operate a temporary stall can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Application forms must be submitted within the time frame specified in the Advisory Notes section of the application form.

- 24.2.2 Approval to operate a temporary stall does not include approval to involve the use of a public address, prepare or sell food and/or beverage, sound amplifying device or signage not directly attached to the table, such as free-standing banners or flags. See "Temporary Food Premises" in the Local Approvals Policy.

- 24.2.3 Applications for temporary stalls will be determined by:

- the provisions of Section 50 of the *Local Government (General) Regulation 2021*
- Subsection 139(a) and 139(f) of the *Roads Act 1993*
- Charitable Fundraising Act 1991
- NSW Food Authority Guideline – Food Safety Requirements for Charitable, Not-for-Profit Organisations (where fundraising involves the sale of food).

- 24.2.4 Council requires the following information when assessing applications for streets stalls:

- Complete application form.
- Valid Public Liability and Product Indemnity Insurance
- A site plan indicating the exact location of any proposed structures, including stalls, stationary vehicles, tables, chairs, signage, and waste receptacles.
- Evidence of consent of the business or organisation outside which the stall is to be situated and adjacent businesses (if applicable).

- Photographs of the site on which the stall is intended to operate which indicate proximity to roadways and pedestrian access ways.
  - Where stalls intend to fundraise, evidence of current fundraising license from the Office of Liquor, Gaming and Racing.
  - Appropriate liquor license is obtained from licensing authorities (NSW Office of Liquor Gambling and Racing) (if applicable).
  - Where stalls intent to operate in vehicle rest areas require concurrent approval from Roads and Maritime Services (RMS).
  - Any additional criteria in the application form for the activity.
- 24.2.5 In determining approvals for temporary stalls, Council shall take into account the following considerations:
- Council will ensure that commercial businesses are not disadvantaged by the occupation of temporary stalls.
  - Council will ensure equitable allocation of available sites between requesting organisations.
  - Council will ensure the safety and preservation of the amenity for all users of malls, roadways and commercial areas used for temporary stalls and will provide reasonable access in these areas to maintain public safety and an aesthetic appearance.
  - Approval from the Director of Community and Culture (if applying to deliver a public address or hold a religious service or public meeting).
- 24.2.6 Approvals to hold a temporary stall are subject to compliance with the following:
- The activity is permitted only between the hours of 8:00 am and 8:00 pm. Each session is limited to a maximum of 2 hours and must take place within Council-designated land locations as specified in Appendix G.
  - The activity is permitted to be conducted with 1 stall with a table no larger than 2 meters by 1 meter. The stall is to be managed by no more than 3 representatives at any given time.
  - Representatives are required to comply with the code of conduct by every in the application form at all times.
  - Organisations can apply for a maximum of 12 occasions in a calendar year but not more than one occasion per month.
  - NSW Food Authority Guideline – Food Safety Requirements for Charitable, Not-for-Profit Organisations throughout the duration of the permit is required (f fundraising with food).
  - Approval holders are responsible for maintaining the cleanliness of the area during and after their activity.
  - The distribution of flyers under this approval, requires the approval holder to hand flyers directly to individuals who express interest. At the

completion of the activities, the approval holder is required to collect and dispose properly of any discarded or remaining flyers.

- Any additional approval conditions listed in the application form or approval documentation.
- Not involve the use of a public address, sound amplifying device or signage not directly attached to the table, such as free-standing banners or flags.
- Not permit the sale of potentially hazardous foods or food not for immediate consumption as per the NSW Food Authority's Guidelines for Food Businesses as Temporary Events 2020.

24.2.7 Approval to erect and operate a temporary stall includes approval of the setup of a temporary structure, the stand, for the purposes of the activity.

24.2.8 This Policy will not deal with requests for permanent street stalls or larger scale markets that attract vehicle traffic and have a greater public safety risk.

### **Temporary Food Premises (Food Stalls and Mobile Food Vending)**

#### 24.3 Policy Exemptions

24.3.1 There are no exemptions from the necessity to obtain approval under this policy for mobile food vending within the Georges River Local Government Area.

#### 24.4 Approval Assessment Criteria

24.4.1 Applications to operate a temporary food premises can be made on the council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Application forms must be submitted within the time frame specified in the Advisory Notes section of the application form.

24.4.2 Approval to operate a Temporary Food Premises includes permission to erect and operate a temporary stall, prepare, and handle food, distribute food and/or beverages, and use sound-amplifying devices or signage not directly attached to the table, such as free-standing banners or flags.

24.4.3 Approval must be obtained for both the land where vending will occur and for all food preparation and handling. Permission to use public roads or land for a vending location must be secured through a road lane or footpath closure permit. See the "Road Lane or Footpath Closure" section of the Local Approvals Policy for more details.

24.4.4 Secure approval for food preparation and handling before seeking approval for the vending location.

24.4.5 If a Temporary Food Premises is not associated with an event, it will be classified as a food and drink premises requiring Development Consent. Upon approval, conditions will be issued.

24.4.6 Where the food for sale from a food stall or mobile food vending vehicle is stored or prepared at separate premises, Development Consent must be

obtained from the relevant Council and a copy must be provided to the Council in accordance with the *Environmental Planning and Assessment Act 1979*.

24.4.7 Under Part 3, Section 14 of the *Food Regulation 2015*, the Council can charge a fee for the inspection of any food stall, stationary food vending vehicle or mobile food vending vehicle.

24.4.8 Subsection 139(a) of the *Roads Act 1993* provides the following conditions for granting consents for street vending.

- A roads authority, in granting consent under this Division to the erection of a structure in, on or over a public road and located in a built-up area, may, without limiting section 139, impose conditions—
  - a) permitting the use of the structure for the purpose of selling any article or service, and
  - b) requiring payments in the nature of rent.
- The term of a street vending consent is to be such period (not exceeding 7 years) as is specified in the consent.
- For the purposes of this section, a structure is located in a built-up area if the structure is located in, on or over a part of a public road that is lit by street lighting located at intervals of not more than 100 metres for a distance of not less than 500 metres.
- Nothing in this section prevents a roads authority from granting a consent under this Division that permits the use of a structure in, on or over a public road and not located in a built-up area for the purpose of selling any article or service.

#### 24.5 Requirements for Temporary Food Stall

24.5.1 Applications for mobile food vending vehicles will be assessed regarding:

- Section 50 of the *Local Government (General) Regulation 2021*

24.5.2 Council requires the following information when assessing applications to hold a temporary food stall:

- Complete application form.
- Valid Public Liability and Product Indemnity Insurance
- Any additional criteria in the application form for the activity.

24.5.3 Approvals for food stalls that prepare and handle food, sell food or beverages, or involve the use of a public address, sound system, or amplification are required to comply with the following conditions:

- Hours of operation will be limited to between 8.00 am and 6.00 pm unless adequate street lighting or other forms of lighting are available to warn pedestrians and road users.
- The area must be maintained to a satisfactory standard, kept in good repair and clean of any food scraps or litter.

- The area must be repaired of any damage caused by the installation, removal, or demolition of articles, to restore the land to its original condition.
  - Any signage associated with the activity must be directly attached to the stall or structure unless otherwise approved by the Council.
  - Arrangements must be made by the approval holder for the prevention of pollution and management of waste relating to the activity.
  - Any approval conditions in the application for approval documentation for the activity.
  - *Development Consent may be required.*
- 24.5.4 Approval holders for temporary stall intending to sell or distribute food or beverages must comply with the following legislation and guidelines:
- *Food Act 2003*
  - *Food Regulations 2015*
  - *Food Standards Code Legislation*
    - Standard 3.2.2 – Food Safety Practices and General Requirements
    - Standard 3.2.2A – Food Safety Management Tools
    - Standard 3.2.3 – Food Premises and Equipment
  - NSW Food Authority's Guidelines for Food Businesses as Temporary Events 2020
- 24.6 Requirements for Mobile Food Vending**
- 24.6.1 Applications for mobile food vending vehicles will be assessed regarding:
- Section 50 of the *Local Government (General) Regulation 2021*
  - Part 2, Division 1, Subdivision 27A "Mobile food and drinks outlets" of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- 24.6.2 Council requires the following information when assessing applications to operate a mobile food vending:
- Complete application form
  - Valid Public Liability and Product Indemnity Insurance
  - Any additional criteria in the application form for the activity.
- 24.6.3 Approvals to operate a mobile vending vehicle are subject to compliance with the following:
- RMS Approval
  - *Development Consent may be required.*
  - The Council conditions for approval as listed below.
- 24.6.4 Approval holders for mobile food vending intending to sell or distribute food or beverages must comply with the following legislation and guidelines:
- *Food Act 2003*
  - *Food Regulations 2015*

- *Food Standards Code Legislation*
  - Standard 3.2.2 – Food Safety Practices and General Requirements
  - Standard 3.2.2A – Food Safety Management Tools
  - Standard 3.2.3 – Food Premises and Equipment
- NSW Food Authority's Guidelines for Mobile Food Vending Vehicles

#### 24.6.5 Location Requirements

- The vehicle is not permitted to use chimes or like devices to attract attention between the hours of 8.00 pm and 8.00 am or to operate within 90 metres of any hospital, church in service or school during school hours.
- Vending is only permitted for a period of 20 minutes in any one location and the vendor must drive 100m before stopping again to vend.
- The vehicle is not permitted to operate within 50 metres of any retail food outlet selling a similar food product if that outlet is open.
- The vehicle is not permitted to trade on main roads or through streets with a speed limit of greater than 50km/h.
- Must not operate as a roadside stall or sell food to the public on any site that requires development consent for that use.
- Must not stop on a hill or bend where sight distance is limited, nor in front of driveways or entrances to properties.
- Must not trade in locations where motorists are forced to park on kerbside land where parking or standing restrictions apply.
- The vehicle must not create a traffic hazard, obstruction, or dangerous situation.
- Not permitted to operate during hours of darkness.

#### 24.6.6 Vehicle inspections

- All Mobile Food Vending Vehicle operators must have their vehicle inspected for food safety requirements prior to issue of an approval, or from time to time as determined by Council or an authorised officer of Council.
- Random inspections of Mobile Food Vending Vehicles may be conducted by Council officers during trading locations and times, and any associated fees and charges will be charged to the business in accordance with Council's Schedule of Fees and Charges.
- A copy of all vehicle's Plan of Management (PoM) must be kept within the vehicle at all times and made available to an authorised Council officer on request.
- Under Part 3, Section 14 of the *Food Regulation 2015*, the Council can charge a fee for the inspection of any food stall, stationary food vending vehicle or mobile food vending vehicle.

24.6.7 Maintenance

- The vehicle and its associated fixtures, fittings and equipment must be kept clean and in a good state of repair and working order - free from dirt, fumes, smoke, foul odours, and other contaminants.

24.6.8 Garbage and recyclable matter

- Suitable and adequate garbage receptacles with close fitting lids are to be provided by food business operators. When directed, a suitable receptacle shall be provided outside the vehicle for depositing take-away food containers and other litter.
- Arrangements are made to dispose of garbage content each day or more frequently when the need arises.
- Recyclable, re-useable or compostable products are used wherever possible.

24.6.9 Animals and Pets

- Operators must take all practicable measures to prevent pests (including birds, spiders, and flying insects) from entering or remaining in the vehicle).
- No animal is permitted to enter any vehicle, whether the vehicle is in operation or not.

24.6.10 Water and ice

- Potable water (safe for human consumption) must be used for washing or preparing food or as an ingredient in food. Town water supplies are considered potable. Using water from other sources may be suitable, but this should be checked with the council.
- Only materials of food-grade rating should be used to store water.
- Ice used to keep food cool or to add to food or drink must be potable.
- All hot water for washing purposes should be supplied from a suitable hot water system and should be piped so it can be mixed with cold water.

24.6.11 Waste disposal

- The vehicle should be equipped with a wastewater tank external to the vehicle, with a capacity of at least 50 litres, and have an outlet of sufficient diameter to facilitate easy flushing and cleaning.
- Wastewater must be disposed of lawfully. Please contact your local water authority prior to the event for advice.
- Under no circumstances is liquid waste to be discharged on the ground or to a stormwater drainage system. All sinks and wash hand basins should be provided with sanitary traps.

24.6.12 Electricity, gas supplies, fire extinguishers and work safety

- Food business operators should ensure there is sufficient supply of electricity for food handling operations, particularly hot and cold food holding and water heating.
- SafeWork NSW requires electrical appliances and leads to be tested at least annually and identification tags to be attached.
- All electrical work should be carried out by a licensed electrician and conform to Australian Standards.
- Gas should be installed by a licensed gasfitter and comply with the appropriate provisions of the Australian Standards.
- A current compliance plate should be fixed to the vehicle for new installations or for any changes made to the existing gas appliances.
- Gas-fired appliances used in the open should not have a gas bottle greater than 9 kg capacity and the bottle should be secured so that it cannot be tipped over. Gas bottles need to be pressure checked.
- A fire extinguisher and fire blanket should be supplied in every vehicle where cooking or heating processes are undertaken. Even if you are not responsible for starting a fire, you should be able to extinguish small fires.
- Fire safety equipment should be easily accessible in the event of a fire. The extinguisher should be suitable for dealing with the type of combustible materials present.
- Fire safety equipment should be tested annually and have current tagging in accordance with Australian Standards. Contact Fire and Rescue NSW for more information.
- All measures should be taken to satisfy required SafeWork NSW conditions to protect the health, safety and welfare of employees and patrons. Contact SafeWork NSW for more information.

#### 24.6.13 Pollution prevention

- Operations should not cause any harm to the environment (air, water, noise, and surrounding land environments). This is a requirement under the *Protection of the Environment Operations Act 1997*.

#### 24.6.14 Construction of vehicle:

- be appropriate for the types of food stored, prepared, and sold.
- have adequate space for all activities and for all equipment to be used or stored.
- allow easy cleaning and sanitising procedures of all structures and equipment.
- prevent the entry of pests, dust, fumes, smoke, and other contaminants where practicable.
- exclude favourable sites for pests to harbour (live and breed).

#### 24.6.15 Floors

- Floors are to be constructed of materials which are impervious and durable.
- The intersections of walls to floors should be without corners (coved): tight jointed, sealed and dust proof.
- Floors should be graded to the doorsill or, alternatively, a floor waste with a screwed removable plug is to be provided.
- Floors that are unlikely to pose any risk of contamination of food handled in the vehicle may be exempted from the constructional requirements of these guidelines provided the food business has obtained council approval.

#### 24.6.16 Walls

- Walls are to be provided where they are necessary to protect food from contamination.
- Walls must be finished with materials suitable for activities conducted in the vehicle and be easy to clean.
- Light coloured, high gloss, impervious surfaces are recommended.
- Suitable wall materials in food preparation areas are stainless steel, aluminium sheeting, acrylic or laminated plastic sheeting or polyvinyl sheeting with welded seams. Architraves, skirting boards, picture rails or similar protrusions should not be used on the walls.
- Walls at the rear of cooking appliances should be surfaced with a material such as stainless steel, which extends from the canopy to the floor. Where a cooking appliance is sealed to the wall, the material should be lapped over the top edge of the appliance to provide a grease and vermin-proof seal. Cooking appliances should only be sealed to walls made of a non-combustible material.
- A splashback should be installed to a minimum height of 300 mm above any bench, sink or hand basin and should be constructed using an impervious waterproof material.

#### 24.6.17 Ceilings

- Ceilings are to be provided where they are necessary to protect food from contamination.
- Ceilings must be finished with impervious materials suitable for activities conducted in the vehicle and be easy to clean. A light colour is recommended. Where applicable, the ceiling height should be adequate to effectively conduct food handling activities.
- Ceilings should be free of open joints, cracks, and crevices. The intersection of walls and ceilings should be tight jointed, sealed and dust proof.

#### 24.6.18 Door and serving openings

- All openings are to be fitted with close fitting doors and shutters where practicable to exclude dust, pests, and other contaminants. These should be closed during transport.
- Door and serving hatches should be finished internally with the same standard of material as the walls.

#### 24.6.19 Pipes, conduits, and wiring

- Pipes, conduits, and wiring should be concealed in or behind floors, walls, and ceilings, or fixed on brackets providing at least 25 mm clearance between the pipe and adjacent surfaces, and 150 mm between the pipe or conduit and adjacent horizontal surfaces.
- Service pipes, conduits and wiring should not be placed in the recessed toe space of plinths or equipment.

#### 24.6.20 Equipment and appliances

- Equipment should be either built in with no cavities or mounted on castors capable of being easily moved to facilitate cleaning.
- Cooking equipment should not be placed beneath windows, wall cupboards, serving openings, shelving, or roof vents.

#### 24.6.21 Lighting

- Adequate lighting in accordance with Australian Standards is to be provided to ensure safe food handling.
- In areas where exposed food is handled or stored, light fittings should be shatter-proof or fitted with suitable light diffusers (covers) to prevent contamination of food by broken light globe/tube glass.

#### 24.6.22 Ventilation

- There must be sufficient natural or mechanical ventilation to effectively remove fumes, smoke, steam, and vapours.
- Mechanical ventilation must comply with Australian Standards.
- Storage racks should not be fitted above cooking and heating equipment as they can obstruct the airflow.

#### 24.6.23 Hand washing facilities

- A dedicated hand washing basin, separate from other facilities and used only for that purpose, must be provided.
- Warm water is needed for effective hand washing. Hot and cold water must be delivered through a single outlet to a dedicated hand basin.
- Liquid soap and single-use paper towels must be provided at, or near, the hand washing facility. To allow easy cleaning of hands and arms the basin should be installed at bench height, not under a bench. It should not be obstructed by other equipment and appropriately fixed to the wall. Ideally an impervious splashback should be installed behind the basin.
- An additional dedicated sink is required for washing of reusable eating and drinking dinnerware and tableware.

#### 24.6.24 Signage

- No additional flashing or rotating lights, except those required under motor traffic legislation, are permitted.
- The vehicle must display a sign requesting patrons not to loiter around the vehicle.

#### 24.6.25 Fees and Charges

- Council will not issue a refund of any fees paid if the business is sold or transferred. A new owner of a mobile food vehicle must make a new application and pay the appropriate fees for approval.

### **25. Carry out an activity prescribed by the regulations, or an activity of a class or description prescribed by the regulations**

#### Domestic greywater diversion device

##### 25.1 Legislative Exemption

25.1.1 Exemption applies under Subsection 75(a) of the *Local Government (General) Regulation 2021* to allow for domestic greywater diversion if:

- it is carried out in accordance with the Plumbing Code of Australia, and
- a sewage management facility is not installed on the premises concerned, and
- the following performance standards are achieved:
  - a) the prevention of the spread of disease by microorganisms,
  - b) the prevention of the spread of foul odours,
  - c) the prevention of contamination of water,
  - d) the prevention of degradation of soil and vegetation,
  - e) the discouragement of insects and vermin,
  - f) ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned,
  - g) the minimisation of any adverse impacts on the amenity of the premises concerned and surrounding lands.

**APPENDIX G**

**Designated Areas for Activities on Public Land**

This appendix specifies the designated areas for the following activities; fundraising, temporary stall, public address or hold a religious service or public meeting, distribution of flyers, and street performance.

<b>Land on which the Council may apply more stringent conditions for use</b>	<b>Locality</b>
<i>Hurstville City Centre</i>	Hurstville Plaza - 288 Forest Road, Hurstville
<i>Kogarah City Centre</i>	Kogarah Town Square - 1-9 Railway Parade, Kogarah

<b>Town Centre</b>	<b>Locality</b>
<i>Hurstville City Centre</i>	<b>Palm Court</b> - 105 Forest Road
	<b>Hurstville Interchange Park</b> - 223 Forest Road
<i>Lugarno Town Centre</i>	<b>Chivers Hill Shops</b> - Forest Road (from Chivers Avenue to Grandview Crescent)
<i>Kogarah City Centre</i>	<b>Kogarah Civic Centre</b> - Corner of Belgrave Street and Post Office Lane
	<b>Kogarah Library</b> - 2 Belgrave Street
	<b>Kogarah Train Station</b> - 1 Railway Parade
<i>Penshurst Town Centre</i>	<b>Bridge St</b> - From Connelly Street to Penshurst Street
<i>Mortdale Town Centre</i>	<b>Morts Road</b> - Corner of Morts Road and Pitt Street
	<b>Morts Road</b> - Corner of Morts Road and Macquarie Place
<i>Riverwood Town Centre</i>	<b>Riverwood Plaza</b> - South side of Belmore Road, outside Riverwood Plaza
	<b>Riverwood Plaza</b> - North side of Belmore Road, corner of Morotai Avenue
<i>Oatley Town Centre</i>	<b>Oatley Avenue</b> - 14 Oatley Avenue

## APPENDIX H

### Classified Roads in the LGA

- Princes Highway
- Henry Lawson Drive
- Stoney Creek Road
- Queens Road
- Forest Road (between Queens Road and Henry Lawson Drive)
- Forest Road (north of Lily Street up to Croydon Road)
- King Georges Road
- Rocky Point Road
- Croydon Road (between Queens Road and Forest Road)

Note: Map of classified roads located on page 63.



- Legend**
- State Road
  - LGA

### Georges River Council Local Government Authority State Roads

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Disclaimer: This map has been produced with the most current information available to Kogarah City Council, including information supplied from external sources. Georges River Council is not responsible for errors or inaccuracies in the data provided. Information in this map is subject to copyright.

## Responsibilities

Position	Responsibility
Director of Community and Culture	Approve/decline applications for public gatherings intended for political or religious purposes.
Manager of City Life	Policy Owner
Head of Strategic Property	Approve/decline applications for business use of footways. Maintain customer guide for business use of footways.
Property Approvals Officer	Approve/decline applications for business use of footways, fundraising, temporary stalls, and film productions. Maintain customer guide for business use of footways.
Coordinator Engineering	Approve/decline applications for stormwater drainage.
Coordinator City Maintenance	Approve/decline applications to open the road.
Coordinator Traffic and Transport	Approve/decline applications to close the road lane and footpath, and to place waste skip bins on roadways.
Coordinator Building Assessment	Approve/decline applications to install a temporary structure over a roadway.
Coordinator Events and Sponsorship	Approve/decline applications to hold events. Maintain the customer guide for holding external events.
Coordinator Programming and Operations	Approve/decline applications for street performances.
Coordinator Environmental Health	Approve/decline applications for temporary food premises. Maintain the customer guide for temporary food premises.



### Version Control and Change History

Version	Amendment Details	Policy Owner	Period Active
1.0	New Georges River Council Local Approvals Policy - Use of Public Land	Executive Manager, Premium Facilities and Property	29/10/2018
2.0	New Georges River Council Local Approvals Policy - Use of Public Land	Manager of City Life	Xx/xx/xxxx

DRAFT

**Item:** COM029-24 Lugarno Progress Association - Event Grant

**Author:** Coordinator Events and Sponsorship

**Directorate:** Community and Culture

**Matter Type:** Committee Reports

**RECOMMENDATION:**

That Council approves the event grant request of \$10,960 (\$9,750 financial and \$1,210 in-kind value) to support the Music in the Park Event hosted by the Lugarno Progress Association on Sunday 10 November 2024.

COM029-24

**EXECUTIVE SUMMARY**

1. Council receives requests from the community to support community events and initiatives. In accordance with the Georges River Council Grants and Donations Policy (2023), each application is assessed, and recommendations are made to Council.
2. Event organisers requesting grant funding for events have been made aware that their request is not approved until Council endorse the funding and to consider alternate sources of financial assistance.
3. On 11 June 2024, Council received correspondence from the Lugarno Progress Association requesting sponsorship of \$10,960 (\$9,750 financial value and \$1,210 in-kind value).

**BACKGROUND**

4. The Lugarno Progress Association (LPA), a volunteer-driven organisation with a rich history spanning 101 years, is committed to advocating for the preservation and enhancement of Lugarno's amenities and natural surroundings. The LPA actively engages the community by hosting various events and initiatives designed to foster unity and bring joy to local residents.
5. The Lugarno Progress Association has a cherished tradition of hosting "Music in the Park," an annual event that has become a highlight in the local community calendar. This event typically takes place in one of Lugarno's parks, HV Evatt Memorial Park, and brings together residents for an enjoyable day of live music, socialising, and community bonding.
6. "Music in the Park" features performances by local musicians and bands, offering a diverse range of musical genres that appeal to all age groups. The event often includes food stalls, activities for children, and opportunities for local businesses and organisations to showcase their services.
7. Council's support will contribute to the cost of festival expenses such as installation of marquees and stages, and the in-kind support of site, electricity, and water fees, cleansing services and waste management.
8. An assessment of this request occurred using Council's Grants and Donations Policy (2023) as per the decision-making criteria in section 4.3 Assessment Process.
9. This event is in accordance with Council's Community Strategic Plan 2022-2032 under Pillar 1: Our Community, specifically addressing goal 1.1: Our community is socially and culturally connected, and we strive for social equity. This goal includes strategy 1.1.1, which aims to initiate, facilitate, and support inclusive and accessible events that meet community aspirations and foster connections among people, communities, and diverse groups.

## FINANCIAL IMPLICATIONS

10. Requests for grants from the Lugarno Progress Association were assessed in accordance with the Community Benefit Criteria as outlined in Georges River Council Grants and Donations Policy (2023).
11. The total amount for Council's approval is \$10,960 consisting of:
  - (a) Total financial value: \$9,750
  - (b) Total in-kind value: \$1,210.
12. Funding is available within the 2024/2025 Outgoing Community Event Sponsorship budget.

Organisation	Event Date	Event	Requested Amount	Recommended Financial	Recommended In-kind	Recommended total amount
Lugarno Progress Association	10/11/24	Music in the Park	\$10,960	\$1,210	\$9,750	\$10,960
<b>TOTAL</b>			<b>\$10,960</b>			<b>\$10,960</b>

## RISK IMPLICATIONS

13. **Reputation risks are mitigated by:**
  - (a) Through the assessment process, we demonstrate good governance, fairness, and support for local initiatives to ensure funded events deliver maximum community benefit.
  - (b) Council's financial assistance also builds community event management capacity, fosters positive publicity, and reinforces trust in our commitment to supporting valued community events, strengthening community relations, and encouraging future engagement.
14. **Compliance risks are mitigated by:**
  - (a) Assessment and recommendations of event grant applications in line with the Event Grant Guidelines and the Georges River Council Grants and Donations Policy (2023).
  - (b) Requirement of grant recipients to adhere to the Event Grant Guidelines and the Georges River Council Grants and Donations Policy (2023).

## COMMUNITY ENGAGEMENT

15. Community engagement was undertaken in the development of the Grants and Donations Policy (2023) and Sponsorship Policy (2023) prior to its adoption by Council on 23 October 2023.

## FILE REFERENCE

D24/210867

## ATTACHMENTS

Nil

**Item:** COM030-24 Lugarno Lions Community Festival - Event Grant  
**Author:** Coordinator Events and Sponsorship  
**Directorate:** Community and Culture  
**Matter Type:** Committee Reports

**RECOMMENDATION:**

That Council approves the event grant request of \$19,260.00 (\$16,215.00 financial and \$3,045.00 in-kind value) to support the 'Lugarno Lions Community Festival' on Sunday 15 September 2024.

**EXECUTIVE SUMMARY**

1. Council receives requests from the community to support community events and initiatives. In accordance with the Georges River Council Grants and Donations Policy (2023), each application is assessed, and recommendations are made to Council.
2. Event organisers requesting grant funding for events have been made aware that their request is not approved until Council endorse the funding and to consider alternate sources of financial assistance.
3. On 4 July 2024, Council received correspondence from Lions Club of Lugarno Inc. requesting sponsorship of \$19,260.00 (\$16,215.00 financial and \$3,045.00 in-kind value).

**BACKGROUND**

4. Lions Club of Lugarno Inc was formed in 1973. The Club is made up of residents from Lugarno, Peakhurst, Peakhurst Heights, Riverwood, and Mortdale. The work of Club members and the generosity of the community has resulted in donations exceeding \$2 million.
5. Lugarno Spring Festival was first held in 1979 and is a firm fixture in the local community calendar. It provides the opportunity for local community groups to participate, either by attendance, promotional activations or performing. Local entertainers are engaged to participate as well as local organisations such as Riverwood Air League, Mortdale Girl Guides, Peakhurst flyball / dog agility group, NSW Fire & Rescue Mortdale and Riverwood, SES Illawong.
6. Lugarno Lions Community Festival event is proposed to be held at Riverwood Park on Sunday 15 September 2024. The total grant amount requested from Council for this event is \$19,260.00 (\$16,215.00 financial and \$3,045.00 in-kind value).
7. Council's support will contribute to the cost of festival expenses such as installation of marquees and stages, hire of standard and accessible porta-loos, electronic messaging boards, generators and traffic management and the in-kind support of site, electricity, and water fees, cleansing services and waste management.
8. An assessment of this request occurred using Council's Grants and Donations Policy (2023) as per the decision-making criteria in section 4.3 Assessment Process.
9. This event is in accordance with Council's Community Strategic Plan 2022-2032 under Pillar 1: Our Community, specifically addressing goal 1.1: Our community is socially and culturally connected, and we strive for social equity. This goal includes strategy 1.1.1, which aims to initiate, facilitate, and support inclusive and accessible events that meet community aspirations and foster connections among people, communities, and diverse groups.

**FINANCIAL IMPLICATIONS**

- 10. Requests for grants from Lions Club of Lugarno were assessed in accordance with the Community Benefit Criteria as outlined in Georges River Council Grants and Donations Policy (2023).
- 11. The total amount for Council’s approval is \$19,260 consisting of:
  - (a) Total financial value: \$16,215.00
  - (b) Total in-kind value: \$3,045.00
- 12. Funding is available within the 2024/2025 Outgoing Community Event Sponsorship budget.

Organisation	Event Date	Event	Requested Amount	Recommended Financial	Recommended In-kind	Recommended total amount
Lions Club of Lugarno Inc	15/09/24	Lugarno Lions Community Festival	\$19,260	\$16,215	\$3,045	\$19,260
<b>TOTAL</b>			<b>\$19,260</b>	<b>\$16,215</b>	<b>\$3,045</b>	<b>\$19,260</b>

**RISK IMPLICATIONS**

- 13. Reputation risks are mitigated by:
  - (a) Through the assessment process, we demonstrate good governance, fairness and support for local initiatives to ensure funded events deliver maximum community benefit.
  - (b) Council’s financial assistance also builds community event management capacity, fosters positive publicity, and reinforces trust in our commitment to supporting valued community events, strengthening community relations and encouraging future engagement.
- 14. Compliance risks are mitigated by:
  - (a) Assessment and recommendations of event grant applications in line with the Event Grant Guidelines and the Georges River Council Grants and Donations Policy (2023).
  - (b) Requirement of grant recipients to adhere to the Event Grant Guidelines and the Georges River Council Grants and Donations Policy (2023).

**COMMUNITY ENGAGEMENT**

- 15. Community engagement was undertaken in the development of the Grants and Donations Policy (2023) and Sponsorship Policy (2023) prior to its adoption by Council on 23 October 2023.

**FILE REFERENCE**

D24/210899

**ATTACHMENTS**

Nil

**Item:** COM031-24 Kingsway Care Fundraising Dinner - Outgoing Sponsorship  
**Author:** Coordinator Events and Sponsorship  
**Directorate:** Community and Culture  
**Matter Type:** Committee Reports

**RECOMMENDATION:**

That Council approves the Outgoing Sponsorship request of \$5,000 to become a sponsor of the Kingsway Care Fundraising Dinner, Thursday 24 October 2024.

**EXECUTIVE SUMMARY**

1. On Thursday 25 July 2024, Council received a sponsorship request from Kingsway Care for \$5,000 to become a sponsor of the Kingsway Care Fundraising Dinner being held at the Southern Sydney Event Centre on Thursday 24 October 2024.
2. Kingsway Care is South Eastern Sydney's largest provider of temporary and crisis housing within the Georges River Council local government area.
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. Kingsway Care's housing program is 'Platform Nine'. The program exists to provide temporary and crisis accommodation for individuals or families who have survived domestic violence or been impacted by homelessness.
5. The organisation provides emergency accommodation and support to empower people toward longer term housing solutions and independent living. The Platform Nine crisis accommodation service has a success rate of over 90% in transitioning clients into long-term housing solutions.
6. Since opening, Kingsway Care has housed over 2,113 individuals, including women, children, and men, with over 60% affected by domestic violence.
7. The Kingsway Care Fundraising Dinner is an annual event aimed at showcasing the programs of Kingsway Care and providing an opportunity for the local community to show support through financial commitment.
8. It is anticipated that approximately 400 people will attend the fundraising dinner with a fundraising target of \$80,000.
9. The Kingsway Care Fundraising Dinner will raise funds for programs that align to Council's Community Strategic Plan, supporting programs, services and activities that foster social support, along with actions to maintain and promote community safety of our area. There is alignment to Council's Social Justice Charter, focus areas of Connected Communities and Safe Places and Spaces.
10. The reciprocal benefits offered to Council will include;
  - (a) Logo recognition in the event program and website.
  - (b) Logo recognition on event digital signage and promotion materials.
  - (c) Complimentary tickets for 5 guests. Ticket value \$50.

- (d) Acknowledgment during the event by the MC.
  - (e) Social Media mentions highlighting Council support for the community.
  - (f) Networking opportunities with other sponsors and key community members during the event.
11. The Kingsway Care organisation currently hold a community lease with Council as part of the Community Property Rental Subsidy program. This lease is utilised for Crisis Accommodation.

### **FINANCIAL IMPLICATIONS**

12. The \$5,000 Outgoing Sponsorship will be allocated from the 2024/2025 Outgoing Community Event Sponsorship budget.

### **RISK IMPLICATIONS**

13. Reputation risks are mitigated by:
- (a) Through the assessment process, we demonstrate good governance, fairness and support for local initiatives to ensure funded events deliver maximum community benefit.
  - (b) Council's financial assistance also builds community event management capacity, fosters positive publicity, and reinforces trust in our commitment to supporting valued community events, strengthening community relations and encouraging future engagement.
14. Compliance risks are mitigated by:
- (a) Assessment and recommendations of Outgoing Sponsorship are in line with the Outgoing Sponsorship Guidelines and the Georges River Council Sponsorship Policy (2023).
  - (b) Requirement of Outgoing Sponsorship recipients to adhere to the Outgoing Sponsorship Guidelines and the Georges River Council Sponsorship Policy (2023).

### **COMMUNITY ENGAGEMENT**

15. On 24 July 2023, Council approved the revised Draft Sponsorship Policy to be placed on exhibition for a period of no less than 28 days.
16. Community engagement was undertaken in the development of the Sponsorship Policy (2023).
17. The Sponsorship Policy (2023) was adopted by Council on 23 October 2023 (CCL091-23).

### **FILE REFERENCE**

D24/210914

### **ATTACHMENTS**

Nil