

## 8.4. Corporate Policy Manual Review - Direction 1

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**ENDORSED BY:** Peter Massey, Acting Director Open Space and Environmental Services

### ATTACHMENTS:

1. Circus Policy [8.4.1 - 2 pages]
2. Crows Nest Trade Waste Policy [8.4.2 - 4 pages]
3. Environmental Upgrade Agreement Policy [8.4.3 - 4 pages]
4. Kirribilli Trade Waste Policy [8.4.4 - 4 pages]
5. Overhanging Branches Policy [8.4.5 - 2 pages]
6. Public Bin Policy [8.4.6 - 2 pages]
7. Public School Use of North Sydney Oval Policy [8.4.7 - 2 pages]
8. Single Use Plastics Policy [8.4.8 - 4 pages]
9. Sustainable Public Events Policy [8.4.9 - 8 pages]
10. Tree and Vegetation Vandalism Policy [8.4.10 - 4 pages]

### PURPOSE:

This report presents the corporate policies under Direction 1. Our Living Environment for re-adoption.

### EXECUTIVE SUMMARY:

Corporate policies within Council's Policy Manual will be presented to the Council for re-adoption between August and November 2022. This long-standing practice occurs in line with Council's commitment to open government and ensures each term of Council is aware of the policies in operation.

Corporate policies are grouped by the five Strategic Directions of the *North Sydney Community Strategic Plan*, demonstrating alignment between Council services and programs and the community vision. Reporting of the corporate policies will occur by Direction as follows, this is to stagger the associated exhibition periods of amended policies:

Direction	Council Meeting
1. Our Living Environment	22 August 2022
2. Our Built Infrastructure	12 September 2022
3. Our Innovative City	26 September 2022
4. Our Social Vitality	10 October 2022
5. Our Civic Leadership	14 November 2022

Direction 1 (Our Living Environment) policies have been reviewed, requiring only minor correction of administrative or typographical errors and updating legislative changes/Act references. All Direction 1 policies are recommended for re-adoption by the Council.

Note: Direction 1 includes a new policy which has been reported to Council separately - Item 8.05 presents the Sustainable Building Policy for adoption post exhibition.

**FINANCIAL IMPLICATIONS:**

There are no financial implications arising from the review of Direction 1 corporate policies.

**RECOMMENDATION:**

**1. THAT** Council readopt the Direction 1 corporate policies as attached to this report being the following:

- a) Circus Policy
- b) Crows Nest Trade Waste Policy
- c) Environmental Upgrade Agreement Policy
- d) Kirribilli Trade Waste Policy
- e) Overhanging Branches Policy
- f) Public Bin Policy
- g) Public School Use of North Sydney Oval Policy
- h) Single Use Plastics Policy
- i) Sustainable Public Events Policy
- j) Tree and Vegetation Vandalism Policy

## LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

### 5. Our Civic Leadership

#### 5.1 Lead North Sydney's strategic direction

#### 5.2 Strong civic leadership and customer focussed services

## BACKGROUND

Corporate policies within Council's Policy Manual will be presented to the Council for re-adoption between August and November 2022. This long-standing practice occurs in line with Council's commitment to open government and ensures each term of Council is aware of the policies in operation. It is not a requirement under the *Local Government Act 1993*, which only requires that Local Approvals Policies be reported (which Council does not have) and that specific governance related policies be reviewed within designated timeframes per each term (which is occurring on case-by-case basis).

The Corporate Policy Framework, as reported to Council on 23 May 2022 (via the Governance & Finance Committee minutes of 9 May 2022) improves the management of the periodic review and re-adoption of individual policies. The categorisation system indicates whether a policy requires Council endorsement or not.

Category	Approval Authority
<b>Statutory Policy</b> - is a policy that Council is required to have due to law, or regulation.	<ul style="list-style-type: none"><li>• Unless provided otherwise under the relevant legislation, these policies are required to be approved by Council.</li><li>• Any significant amendments to these policies must be approved by Council.</li><li>• These policies must be placed on public exhibition when created or significantly amended, either for a period of 28 days or as required by the relevant legislation</li></ul>
<b>Strategic Policy</b> - is a policy that sets a strategic direction and identifies long-term or overall aims and interests for Council. It guides decision making.	<ul style="list-style-type: none"><li>• These policies are required to be approved by Council.</li><li>• Any significant amendments to these policies must be approved by Council.</li><li>• These policies must be placed on public exhibition when created or significantly amended, for a minimum of 28 days.</li></ul>
<b>Operational Policy</b> - a policy that relates predominately to Council's operations; or a policy that Council is not mandated to have in place but represents best practice.	<ul style="list-style-type: none"><li>• These policies may be approved by the General Manager. In some instances, the General Manager may determine to report the policy to Council.</li><li>• Any amendments to these policies may be approved by the General Manager. In some instances, the General Manager may determine to report the amendment to the policy to Council.</li><li>• These policies may or may not be required to be placed on public exhibition when created or amended - the Policy Owner will be responsible for making that recommendation to the General Manager.</li></ul>

## CONSULTATION REQUIREMENTS

Community engagement is not required.

## DETAIL

Corporate policies are grouped by the five Strategic Directions of the *North Sydney Community Strategic Plan*, demonstrating alignment between Council services and programs and the community vision.

This report presents the corporate policies under Direction 1 Our Living Environment for re-adoption. The following table lists the Direction 1 policies, indicating their last review date and category as follows:

<b>Policy</b>	<b>Category</b>	<b>Last Reviewed</b>
Circus Policy	Operational	25 Jun 2018
Crows Nest Trade Waste Policy	Operational	25 Jun 2018
Environmental Upgrade Agreement Policy	Strategic	25 Jun 2018
Kirribilli Trade Waste Policy	Operational	25 Jun 2018
Overhanging Branches Policy	Operational	25 Jun 2018
Public Bin Policy	Operational	25 Jun 2018
Public School Use of North Sydney Oval Policy	Strategic	25 Jun 2018
Single Use Plastics Policy	Strategic	23 Sep 2019
Sustainable Public Events Policy	Operational	25 Jun 2018
Tree and Vegetation Vandalism Policy	Operational	25 Jun 2018

Direction 1 policies have been reviewed, requiring only correction of administrative or typographical errors and updating legislative changes/Act references. All Direction 1 policies are recommended for re-adoption by the Council. Note: Direction 1 includes a new policy which has been reported to Council separately - Item 8.05 presents the *Sustainable Building Policy* for adoption post exhibition.

Following re-adoption all policies will be renumbered alphabetically per Direction, and the version control and footers will be updated by registering the policies in Council's records system and updating the website.

It is noted, that should any of the above policies require amendment during the Council term, that the review will occur in accordance with the Corporate Policy Framework. Significant amendments to policies categorised as Statutory and Strategic policies must be approved by Council, where this occurs the proposed amendments will be marked up and reported to Council seeking endorsement to publicly exhibit the amended policies. Policies categorised as Operational may be approved by the General Manager, who will determine whether report the amendments to Council, including whether public exhibition of the proposed amendments (depending on their significance) is recommended.



## CIRCUS POLICY

D1-01

Page 1 of 2

**Policy Owner:** Director Open Space and Environmental Services

**Category:** Operational

**Direction:** 1. Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1 This Policy aims to ensure that circuses occurring within the North Sydney local government area are managed in accordance with the required standards.

### 2. ELIGIBILITY

- 2.1 The Policy applies to any Circus seeking approval to operate within the North Sydney local government area.

### 3. DEFINITIONS

- 3.1 Circus - an entertainment facility open to the public, established on a temporary basis within the Council area, which includes the display of performing animals.

### 4. PROVISIONS

- 4.1 Circus performances involving animals may be permitted in the North Sydney local government area. However, the applicant must first receive the landholders' consent for the area on which the circus is to operate and then lodge a Development Application for Council's consideration.
- 4.2 Council will only consider a Development Application on receipt of the appropriate permits from the relevant authorities regarding exhibiting the specific animals involved in the circus performance.

### 5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council's Director Open Space and Environmental Services is responsible for administering this Policy.
- 5.2 Council's Development Services Department is responsible for assessing Development Applications.

Re-adopted by Council 25 June 2018

## 6. RELATED POLICIES

The Policy should be read in conjunction with the following Council policies and documents:

- Community Strategic Plan

The Policy should be read in conjunction with the following documents/legislation:

- Environmental Assessment and Planning Act 1979
- Exhibited Animals Protection Act 1986
- Exhibited Animals Protection Regulation 2010
- General Standards for Exhibiting Animals at Mobile Establishments 2008
- Local Government Act 1993
- Standards for Exhibiting Circus Animals in NSW 2009

Version	Date Approved	Approved by	Resolution No.	Review Date
1	2 August 2004	Council	794	2008/09
2	16 February 2009	Council	61	2012/13
3	18 February 2013	Council	61	2016/17
4	25 June 2018	Council	214	2020/21
5	#	Council	#	2024/25

Re-adopted by Council 25 June 2018



## CROWS NEST TRADE WASTE POLICY

D1-02

Page 1 of 4

**Policy Owner:** Director Open Space and Environmental Services

**Category:** Operational

**Direction:** 1. Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1 This Policy aims to improve the management of trade waste by business operators in the Crows Nest commercial area in order to improve the aesthetic character of the area, enhance commercial vitality and address public health issues including ongoing vermin population control. Financial penalties may be applicable to businesses who fail to comply with the Policy.
- 1.2 Council and the North Sydney community are committed to environmental sustainability in practice. Businesses in Crows Nest are encouraged to reduce their waste footprint through a combination of approaches including waste avoidance, minimal packaging, re-use and recycling.

### 2. ELIGIBILITY

- 2.1 This Policy applies to all businesses in the Crows Nest commercial area that produce trade waste and engage the services of a waste collection contractor.
- 2.2 The Crows Nest commercial area includes businesses that back onto Hume Lane, Zig Zag Lane and Willoughby Lane.
- 2.3 Some conditions contained in this Policy are only applicable to businesses that present their trade waste bins in a public place (i.e. footpath) and laneway for collection.

### 3. DEFINITIONS

- 3.1 Trade Waste includes:
  - a) Any discarded, rejected, unwanted, surplus or abandoned substance, or
  - b) Any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance.

Re-adopted by Council 25 June 2018

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3.2 Litter includes:

- a) Any solid or liquid domestic or commercial refuse, debris or rubbish and, without limiting the generality of the above, includes any glass, metal, cigarette butts, paper, fabric, wood, food, abandoned vehicles, abandoned vehicle parts, construction or demolition material, garden remnants and clippings, soil, sand or rocks; and
- b) Any other material, substance or thing deposited in or on a place if its size, shape, nature or volume makes the place where it is deposited disorderly or detrimentally affects the proper use of that place deposited in or on a place, whether or not it has any value when or after being deposited in or on the place.

#### 4. PROVISIONS

4.1 Businesses may place a trade waste bin in a public place for collection, provided:

4.1.1 There is no space available within the business property for the collection of trade waste;

4.1.2 The business can produce, at the request of a Council Officer, written evidence of a valid and current contract for waste collection (at a specified hour); and

4.1.3 The business accepts responsibility for its trade waste bin.

4.2 Trade waste collection contractors engaged by businesses to service their needs must adhere to the following conditions:

4.2.1 Provide the business with a valid contract;

4.2.2 Only supply the business with bins that are acceptable by Council and meet *Australian Standard AS4123*;

4.2.3 All bins must clearly display the name and address of the business;

4.2.4 Specify a method and timing of collection that adheres to this Policy.

4.3 Trade waste receptacles must be acceptable by Council and consistent with the following provisions:

4.3.1 Permanently fixed, tightly fitting lid;

4.3.2 Smooth internal washable surface;



**CROWS NEST TRADE WASTE POLICY**

Page 3 of 4

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- 4.3.3 Bin clearly labelled with the name, telephone number and/or address of the Crows Nest business and also the name of the waste contractor.
  - 4.4 Trade waste bins being presented for collection must be managed in accordance with the following conditions:
    - 4.4.1 The location of the trade waste bin must not disturb traffic flow, impede or endanger pedestrian movement, restrict driver sight lines or vehicle access.
    - 4.4.2 The trade waste bin(s) cannot be placed in front of other premises without the owner's written permission.
    - 4.4.3 Bins shall be placed out for collection no earlier than 5.00pm and no later than 10.00pm on the day before collection.
    - 4.4.4 All trade waste must be collected between the hours of 6.00am and 10.00am.
    - 4.4.5 Trade waste bin(s) presented for collection in a public place must be removed from the public place and returned to the business premises within one hour of the collection service being carried out.
    - 4.4.6 Waste and recycling bins are not to be stored permanently in streets and laneways unless specifically prescribed by Council in writing.
    - 4.4.7 All business proprietors are requested to adhere to above clauses 4.4.3 and 4.4.4 by negotiating appropriate collection times with their trade waste collection contractor.

**5. RESPONSIBILITY/ACCOUNTABILITY**

- 5.1 Adherence to this Policy is the responsibility of all business operators in the Crows Nest commercial area that produce trade waste and engage the services of a trade waste collection contractor.
- 5.2 Business operators who fail to meet the requirements of this Policy, or a previously applied development consent condition relating to trade waste management, may be fined under a Penalty Infringement Notice (PIN).
- 5.3 Under relevant provisions of the *Protection of the Environment Operations Amendment (Littering) Act 2000*, littering penalties up to \$750 may be imposed on businesses who fail to appropriately store their trade waste. Under this legislation, the definition of 'litter' includes waste placed in a public place for collection that does not meet Council's servicing requirements, as detailed in this Policy.

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Re-adopted by Council 25 June 2018

**CROWS NEST TRADE WASTE POLICY**

Page 4 of 4

- 5.4 The Crows Nest Mainstreet Committee will ensure all businesses are made aware of their responsibilities in managing commercial waste. The Crows Nest Mainstreet Committee will also “name and shame” regular offenders, and liaise with these businesses on a direct level.

**6. RELATED POLICIES/DOCUMENTS/LEGISLATION**

The Policy should be read in conjunction with the following Council policies and documents:

- Crows Nest Mainstreet Committee Strategic Plan 2010
- Development Control Plan

The Policy should be read in conjunction with the following documents/legislation:

- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations Act Amendment (Littering) 2000
- Work Health and Safety Act 2011
- Australian Standard AS4123

Version	Date Approved	Approved by	Resolution No.	Review Date
1	13 August 2012	Council	470	2012/13
2	18 February 2013	Council	61	2016/17
3	25 June 2018	Council	214	2020/21
4	#	Council	#	2024/25

Re-adopted by Council 25 June 2018



## ENVIRONMENTAL UPGRADE AGREEMENT POLICY

D1-03

Page 1 of 4

**Policy Owner:** Director Open Space and Environmental Services

**Category:** Strategic

**Direction:** 1. Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1 This Policy outlines North Sydney Council requirements for entering into and administering Environmental Upgrade Agreements (EUA).
- 1.2 The purpose of an EUA is to encourage Building Owners to invest in environmental improvements to their existing buildings by providing access to fixed rate, long loan tenor finance.
- 1.3 This Policy applies to all applications for and subsequent EUAs to which Council is a party from [insert date it is endorsed].
- 1.4 The Policy is supported by the EUA Legislation, EUA contract template, the Additional Conditions, and the Council's EUA Enforcement Procedure.

### 2. ELIGIBILITY

- 2.1 This Policy applies across the whole of the North Sydney local government area (LGA).

### 3. DEFINITIONS

- 3.1 Environmental Upgrade Agreement - the Local Government Amendment Act 2010 provides a legislative framework that authorises Councils to enter into an Environmental Upgrade Agreement (EUA). An EUA is a voluntary agreement between a Building Owner, a Finance Provider and a Council where:
  - a) a Building Owner agrees to carry out environmental upgrade works to a building (works to improve the energy, water, or environmental efficiency or sustainability of the building); and
  - b) a Finance Provider agrees to advance funds to the Building Owner to finance those environmental upgrade works; and
  - c) a Council levies a charge on relevant land (EUA Charge) to enable the repayment of the funds advanced.

Re-adopted by Council 25 June 2018

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## 4. PROVISIONS

- 4.1 EUA Eligibility Criteria - Council will only consider an application to enter into an EUA if the following criteria are met.
- a) EUA Works:
    - i) The proposed EUA Works comply with EUA Legislation.
    - ii) The building owner has consulted with Council's Executive Planning Adviser and has been advised about all the authorisations or statutory requirements required to undertake the EUA Works.
  - b) Unimproved value of the land must exceed the EUA Charge:
    - i) The total amount of any EUA Charge (including the cumulative amount if there is more than one EUA relating to the subject land) does not exceed the unimproved value of the land.
  - c) Building:
    - i) The building is located in the North Sydney LGA.
    - ii) The building is not subject to a registered Strata Plan or Company Title Strata Plan.
    - iii) There are no outstanding Orders that have been issued in relation to the building pursuant to any relevant legislation.
  - d) Building Owner:
    - i) The Building Owner agrees to be bound by the requirements of the EUA Template, Additional Conditions, Council's EUA Enforcement Procedure and this Policy.
    - ii) The Building Owner has no overdue debts to Council.
    - iii) The Building Owner must have an Australian address specified in the EUA for the service of notices. If the Building Owner is a corporation, the Australian address must be the company's registered office address in Australia. In all other cases the Australian address must be the Australian office address of the Building Owner's legal representative or accountant.
    - iv) The Building Owner acknowledges and agrees that Council will not get involved in any dispute that may arise between the Building Owner and Finance Provider or a tenant as to any matter relating to an EUA.
  - e) Caveat:
    - i) Where the value of the proposed EUA Works plus interest exceeds \$5M, if requested by Council, the Building Owner must consent by entering into this Agreement, the property owner agrees that Council has an equitable interest in the land and consents to Council lodging a caveat on the title of the property.
  - f) Finance Provider:
    - i) The Finance Provider agrees to be bound by the requirements of the EUA Template, Additional Conditions, Council's EUA Enforcement Procedure and this Policy.

- ii) The Finance Provider must provide written confirmation that it has undertaken a credit assessment of the Building Owner and is satisfied that at the commencement date of the EUA the Building Owner is able to comply with its obligations under the EUA.
- iii) The Finance Provider acknowledges and agrees that Council will not get involved in any dispute that may arise between the Finance Provider and the Building Owner as to any matter relating to an EUA.

#### 4.2 Council's role in levying and collecting EUA Charge

- a) Council's role in an EUA is to levy a charge on the land for the whole of the amount funded by the Finance Provider to the Building Owner plus a Council administration fee as set out in the Council's EUA Schedule of Fees. This charge is known as the EUA Charge and is levied on or before the commencement date of the EUA. The EUA Charge takes priority (with rates) over all other debts on the land which is the subject of the EUA.
- b) Council assumes the role of debt collector and receives payments on behalf of the Finance Provider, holds them on trust, deducts its administration fee and then remits the balance to the Finance Provider. If a Building Owner fails to pay any part of the EUA Charge as and when it falls due, Council is required to exercise its "best endeavours" to recover the debt through processes that are set out in Council's EUA Enforcement Procedure. Council is not liable for repayment of any or all of the EUA Charge to the Finance Provider.

#### 4.3 Role of Council - Council will:

- a) issue notices to the Building Owner on a quarterly basis showing the amount of the EUA Charge due on the 31 August, 30 November, 28 February and 31 May of each year in accordance with the Agreed Repayment Arrangements; and
- b) only accept pre-payments of EUA Charges with a Minimum Prepayment Amount equal to or greater than the value of one Charge Payment as set out in the Agreed Repayment Arrangements.

#### 4.4 Subdivision - If the Building Owner intends to subdivide the land which is the subject of an EUA, Council will not consent to the subdivision and or registration of the plan of subdivision unless:

- a) the Building Owner fully discharges the outstanding EUA Charge Obligations; or
- b) all parties to the EUA enter into a Deed of Variation whereby the land the subject of the EUA is amended so as to reflect the relevant new title details of the land on which the Building the subject of the EUA Works is located (New Lot). Council will not enter into a Deed of Variation unless:

**ENVIRONMENTAL UPGRADE AGREEMENT POLICY**

Page 4 of 4

- i. the Finance Provider and its successors and assigns release Council from any claims it may have against the Council in relation to the subdivision;
- ii. the EUA, as amended by the Deed of Variation, continues to meet the eligibility criteria in the legislative framework;
- iii. the New Lot has an unimproved land value which is greater than the outstanding EUA Charge; and
- iv. the EUA Works are located on the New Lot.

**5. RESPONSIBILITY/ACCOUNTABILITY**

- 5.1 Council's Environmental Services Department is responsible for administering this policy and taking actions as defined in Section 4 of this Policy.

**6. RELATED POLICIES/DOCUMENTS/LEGISLATION**

The Policy should be read in conjunction with the following Council policies and documents:

- Environmental Upgrade Agreement Enforcement Procedure
- FAQ: How EUAs Work
- Fact Sheet: Environmental Upgrade Agreements
- EUA Application Form
- EUA Additional Conditions

The Policy should be read in conjunction with the following documents/legislation:

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Guidelines for Environmental Upgrade Agreements (February 2011)
- Environmental Upgrade Agreement Contract NSW, OEH v1.1 (July 2016)

Version	Date Approved	Approved by	Resolution No.	Review Date
1	13 August 2012	Council	470	2012/13
2	18 February 2013	Council	61	2016/17
3	26 June 2017	Council	207	2017/18
4	25 June 2018	Council	214	2020/21
5	#	Council	#	2024/25

Re-adopted by Council 25 June 2018



## KIRRIBILLI TRADE WASTE POLICY

D1-04

Page 1 of 4

**Policy Owner:** Director Open Space and Environmental Services

**Category:** Operational

**Direction:** 1. Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1 This Policy aims to improve the management of trade waste by business operators in the Kirribilli commercial area, in order to improve the aesthetic character of the area, enhance commercial vitality and address public health issues including ongoing vermin population control. Financial penalties may be applicable to businesses who fail to comply with the Policy.
- 1.2 Council and the North Sydney community are committed to environmental sustainability in practice. Businesses in Kirribilli are encouraged to reduce their waste footprint through a combination of approaches including waste avoidance, minimal packaging, re-use and recycling.

### 2. ELIGIBILITY

- 2.1 This Policy applies to all businesses in the Kirribilli commercial area that produce trade waste and engage the services of a waste collection contractor.
- 2.2 The Kirribilli commercial area includes businesses that front Broughton, Burton, Ennis, Bligh and Fitzroy Streets and businesses that are located adjoining and leading to the entrance of Milson Point railway station.
- 2.3 Some conditions contained in this Policy are only applicable to businesses that present their trade waste bins in a public place (i.e. footpath) and laneway for collection.

### 3. DEFINITIONS

- 3.1 Trade Waste includes:
  - a) Any discarded, rejected, unwanted, surplus or abandoned substance, or
  - b) Any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance.

Re-adopted by Council 25 June 2018

3.2 Litter includes:

- a) Any solid or liquid domestic or commercial refuse, debris or rubbish and, without limiting the generality of the above, includes any glass, metal, cigarette butts, paper, fabric, wood, food, abandoned vehicles, abandoned vehicle parts, construction or demolition material, garden remnants and clippings, soil, sand or rocks; and
- b) Any other material, substance or thing deposited in or on a place if its size, shape, nature or volume makes the place where it is deposited disorderly or detrimentally affects the proper use of that place deposited in or on a place, whether or not it has any value when or after being deposited in or on the place.

#### 4. PROVISIONS

4.1 Businesses may place a trade waste bin in a public place for collection, provided:

- 4.1.1 There is no space available within the business property for the collection of trade waste;
- 4.1.2 The business can produce, at the request of a Council Officer, written evidence of a valid and current contract for waste collection (at a specified hour); and
- 4.1.3 The business accepts responsibility for its trade waste bin.

4.2 Trade waste collection contractors engaged by businesses to service their needs must adhere to the following conditions:

- 4.2.1 Provide the business with a valid contract;
- 4.2.2 Only supply the business with bins that are acceptable by Council and meet *Australian Standard AS4123*;
- 4.2.3 All bins must clearly display the name and address of the business;
- 4.2.4 Specify a method and timing of collection that adheres to this Policy.

4.3 Trade waste receptacles must be acceptable by Council and consistent with the following provisions:

- 4.3.1 Permanently fixed, tightly fitting lid;
- 4.3.2 Smooth internal washable surface; and



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- 4.3.3 Bin clearly labelled with the name, telephone number and/or address of the business and also the name of the waste contractor.
  - 4.4 Trade waste bins being presented for collection must be managed in accordance with the following conditions:
    - 4.4.1 The location of the trade waste bin must not disturb traffic flow, impede or endanger pedestrian movement, restrict driver sight lines or vehicle access.
    - 4.4.2 The trade waste bin(s) cannot be placed in front of other premises without the property owner's written permission.
    - 4.4.3 Trade waste bins can only be placed in a public place for collection between the hours of 11.00pm and 8.00am.
    - 4.4.4 Trade waste bins must not remain in a public place between the hours of 8.00am and 11.00pm.
    - 4.4.5 Trade waste bin(s) presented for collection in a public place must be removed from the public place and returned to the business premises within one hour of the collection service being carried out.
    - 4.4.6 Waste and recycling bins are not to be stored permanently in streets and laneways unless specifically prescribed by Council in writing.
    - 4.4.7 All business proprietors are requested to adhere to above clauses 4.4.3 and 4.4.4 by negotiating appropriate collection times with their trade waste collection contractor.

## 5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Adherence to this Policy is the responsibility of all business operators in the Kirribilli commercial area that produce trade waste and engage the services of a trade waste collection contractor.
- 5.2 Business operators who fail to meet the requirements of this Policy, or a previously applied development consent condition relating to trade waste management, may be fined under a Penalty Infringement Notice (PIN).
- 5.3 Under relevant provisions of the *Protection of the Environment Operations Amendment (Littering) Act 2000*, littering penalties up to \$750 may be imposed on businesses who fail to appropriately store their trade waste. Under this legislation, the definition of 'litter' includes waste placed in a public place for

collection that does not meet Council's servicing requirements, as detailed in this Policy.

## 6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Development Control Plan

The Policy should be read in conjunction with the following documents/legislation:

- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations Act Amendment (Littering) 2000
- Work Health and Safety Act 2011
- Australian Standard AS4123

Version	Date Approved	Approved by	Resolution No.	Review Date
1	30 June 2003	Council	662	2007/08
2	18 February 2013	Council	61	2016/17
3	25 June 2018	Council	214	2020/21
4	#	Council	#	2024/25

Re-adopted by Council 25 June 2018



## OVERHANGING BRANCHES POLICY

D1-05

Page 1 of 2

**Policy Owner:** Director Open Spaces and Environmental Services

**Category:** Operational

**Direction:** 1. Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1 This Policy identifies North Sydney Council's position regarding overhanging branches from private property encroaching onto and impeding pedestrian access along Council's footpaths.

### 2. ELIGIBILITY

- 2.1 The Policy applies across the whole of the North Sydney local government area.
- 2.2 It is not the role of Council to intervene in neighbourhood disputes regarding trees. Conflicts may be resolved through the Community Justice Centre's Dispute Resolution Services. Where attempts for mediation between the parties have failed, the opportunity exists for an owner of land to apply to the NSW Land and Environment Court, under the provisions of the *Tree (Disputes Between Neighbours) Act 2006*, for an order to remedy, restrain or prevent damage to the owner's property, or to prevent injury, as a consequence of a tree situated on adjoining land.

### 3. DEFINITIONS

- 3.1 Overhanging Branches - vegetation that overhangs the street alignment at a height less than 2.4 metres above the footpath level.

### 4. PROVISIONS

- 4.1 Where Council identifies that branches from private property are overhanging and impeding pedestrian use of a public footpath, the Council will issue a Notice to Comply to the property owner to remove the overhanging branches.
- 4.2 In the event the property owner does not remove the overhanging branches within a 21 day period from being notified, Council may remove the overhanging branches, and charge the costs to the responsible property owner.

Re-adopted by Council 25 June 2018

**OVERHANGING BRANCHES POLICY**

Page 2 of 2

**5. RESPONSIBILITY/ACCOUNTABILITY**

- 5.1 Council's Open Space and Environmental Services Division is responsible for administering this Policy including issuing notices as defined in Section 4.1.

**6. RELATED POLICIES/DOCUMENTS/LEGISLATION**

The Policy should be read in conjunction with the following Council policies and documents:

- Tree Vandalism Policy
- Tree Preservation Order 2006

The Policy should be read in conjunction with the following documents/legislation:

- Australian Standard AS4373 (2007) Pruning of Amenity Trees
- Tree (Disputes Between Neighbours) Act 2006

Version	Date Approved	Approved by	Resolution No.	Review Date
1	16 February 2009	Council	61	2012/13
2	18 February 2013	Council	61	2016/17
3	25 June 2018	Council	214	2020/21
4	#	Council	#	2024/25

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Re-adopted by Council 25 June 2018



## PUBLIC BIN POLICY

D1-06

Page 1 of 2

**Policy Owner:** Director Open Space and Environmental Services

**Category:** Operational

**Direction:** 1. Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1. This Policy clarifies Council's position on the minimisation and design of garbage bins that are placed in the high use public areas of the North Sydney local government area.

### 2. ELIGIBILITY

- 2.1. The Policy applies to all garbage bins that are placed in the high use public areas of the North Sydney local government area.

### 3. DEFINITIONS

- 3.1. High use public areas include:
  - a) High profile plaza/public place areas such as Ernest Place, Mount Street Plaza and the like;
  - b) Highly visited public parks and gardens; and
  - c) Adjacent to busy public transport nodes such as railway stations and high use bus stops.

### 4. PROVISIONS

- 4.1. That Council seeks to minimise the number of public garbage bins that are placed in the public areas of North Sydney.
- 4.2. That Council restricts the placement of public garbage bins to high use public areas.
- 4.3. That the bins to be used in the high use public areas shall be of uniform design, should not detract from the aesthetic appeal of that public area, should discourage the dumping of domestic and commercial waste and should withstand vandalism.
- 4.4. That the bins to be used in public parks and gardens are to be fixed using a mounting post and clamp design that acts as both a deterrent to the dumping of

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Re-adopted by Council 25 June 2018

**PUBLIC BIN POLICY**

Page 2 of 2

domestic and commercial waste and is resistant to vandalism.

**5. RESPONSIBILITY**

- 5.1. Council's Director Open Space and Environmental Services will determine any community requests for new locations of public garbage bins.

**6. RELATED POLICIES/DOCUMENTS/LEGISLATION**

The Policy should be read in conjunction with the following Council policies and documents:

- Community Strategic Plan

Version	Date Approved	Approved by	Resolution No.	Review Date
1	2 August 2004	Council	794	2008/09
2	16 February 2009	Council	61	2012/13
3	18 February 2013	Council	61	2016/17
4	23 June 2014	Council	240	2016/17
5	25 June 2018	Council	214	2020/21
6	#	Council	#	2024/25

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Re-adopted by Council 25 June 2018



## PUBLIC SCHOOL USE OF NORTH SYDNEY OVAL POLICY

D1-07

Page 1 of 2

**Policy Owner:** Director Open Space and Environmental Services

**Category:** Strategic

**Direction:** 1. Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1 That Public Schools located in the North Sydney local government area each will be allowed the use of North Sydney Oval on one (1) occasion per calendar year free of hiring fees and subjected only to the costs associated with using the facilities

### 2. ELIGIBILITY

- 2.1 This Policy applies only to all Public Schools within the local government area.

### 3. DEFINITIONS

- 3.1 Public Schools are defined as Government (or public) schools that are funded and operated by the NSW Government.
- 3.2 Costs associated with using the facility include but are not limited to: cleaning costs, reimbursement of wages for the provision of security, first aid and generally staff required to operate and prepare the venue for use.

### 4. PROVISIONS

- 4.1 Booking of North Sydney Oval is to be made on a seasonal basis in the first instance.
- 4.2 Applications for seasonal bookings will close each year as follows: Summer Season: First Friday in August Winter Season: First Friday in February.

### 5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council's Manager North Sydney Oval and Function Centre is the point of contact with stakeholders to address bookings and ground availability.

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Re-adopted by Council 25 June 2018

## 6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Community Strategic Plan
- North Sydney Oval Business Plan
- North Sydney Oval Plan of Management
- Sporting Facilities Booking Policy

Version	Date Approved	Approved by	Resolution No.	Review Date
1	24 July 2017	Council	310	2017/18
2	25 June 2018	Council	214	2020/21
3	#	Council	#	2024/25

Re-adopted by Council 25 June 2018





## SINGLE USE PLASTICS POLICY

D1-10

Page 1 of 4

**Policy Owner:** Director Open Space and Environmental Services

**Category:** Strategic

**Direction:** 1. Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1 North Sydney Council is committed to taking all feasible and reasonable viable steps to phasing out single-use plastics for its operations, events, venues and Council owned properties. Single use items will be replaced with reusable alternatives where feasible. Where single use items cannot be avoided, and reusable alternatives are not feasible, compostable alternatives should be used.
- 1.2 This policy is consistent with the Australian Packaging Covenant and will help ensure that Council plays a leadership role in working towards the 2025 National Packaging Targets in North Sydney.

The 2025 National Packaging Targets are:

- 100% of all Australia's packaging will be reusable, recyclable or compostable by 2025 or earlier;
- 70% of Australia's plastic packaging will be recycled or composted by 2025;
- 30% average recycled content will be included across all packaging by 2025; and
- Problematic and unnecessary single-use plastic packaging will be phased out through design, innovation or introduction of alternatives.

### 2. ELIGIBILITY

- 2.1 All councillors, staff and suppliers involved in Council procurement and/or activities conducted in Council owned venues.
- 2.2 Hirers of Council venues, facilities, parks, reserves, sportsgrounds and pools.
- 2.3 Commercial tenants in Council owned properties with leases signed after adoption of this Policy. For commercial tenants this Policy applies only to plastic straws and single-use plastic bags.

Adopted by Council 23 September 2019

**SINGLE USE PLASTICS POLICY**

Page 2 of 4

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- 2.4 The General Manager or delegate may grant exemptions to this policy for health and safety, alcohol licensing, medical and disability reasons.

**3. DEFINITIONS**

- 3.1 Single use plastic - any disposable plastic item, including made from polystyrene, that is designed to be used once and then discarded. This includes, but is not limited to, disposable cups and lids, straws, bags, cutlery, plates, bottled water, take away containers, single serve sachets and unnecessary packaging.
- 3.2 Reusable - any item, including made from plastic, that is designed to be used multiple times for the same purpose for which it was conceived.
- 3.3 Compostable - an item that has been certified as compostable according to AS 5810 (suitable for home composting) or an equivalent standard.

**4. PROVISIONS**

- 4.1 Council commits to making arrangements with suppliers, caterers, stall holders, tenants and venue hirers to use reusable or compostable alternatives to single use plastic.
- 4.2 Where a supplier, caterer, stall holder, tenant or venue hirer cannot guarantee that single use plastics are avoided or replaced with reusable or compostable alternatives, the Council will, where practicable, opt for alternative suppliers, caterers, stall holders, tenants or venue hirers.
- 4.3 The avoidance of single use plastics will be stipulated in all relevant tender and contract conditions and event, venue hire and lease documentation.
- 4.4 A six-month transitional period will apply from date of adoption of this Policy to allow viable solutions to be applied and alternatives to be sourced.

**5. RESPONSIBILITY/ACCOUNTABILITY**

- 5.1 Council's Senior Sustainability Programs Coordinator is responsible for:
- a) notifying Council staff of this Policy; and
  - b) providing support to Council staff to assist them in implementing this Policy.

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Adopted by Council 23 September 2019

**SINGLE USE PLASTICS POLICY**

Page 3 of 4

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- 5.2 Council's Manager Corporate Contracts is responsible for ensuring that all new tenders and contracts contain clauses which avoid the use and supply of single use plastics.
- 5.3 Council's Manager Procurement is responsible for establishing a system to monitor non-compliant purchase orders.
- 5.4 Council staff are responsible for complying with this Policy and take all reasonable steps to avoid using single use plastic products.
- 5.5 Council staff responsible for event management and/or venue hire are responsible for:
- a) updating relevant event management and venue hire documentation.
  - b) promoting that events are single use plastic free and encouraging attendees to bring their own reusable materials.
  - c) monitoring compliance with the requirements of this Policy by Council run and third-party events as well as by venue hirers in accordance with Council's existing monitoring practices.
- 5.6 Council's Manager Property Assets is responsible for:
- a) ensuring, where feasible, Council facilities and hireable Council venues have adequate dishwashing facilities and enough reusable crockery, glasses, mugs, cutlery and other relevant supplies to accommodate venue capacity, and/or the requirements of the bulk of the venue hirers.
  - b) ensuring that all new commercial leases contain clauses which discourage non-compliance with this Policy.
  - c) notifying Council's existing commercial tenants to request compliance with this Policy, with support from the Better Business Partnership.
  - d) ensuring Council's Commercial Property Agents monitor compliance with the requirements of this Policy by commercial tenants.

**6. RELATED POLICIES/DOCUMENTS/LEGISLATION**

The Policy should be read in conjunction with the following Council policies:

- Procurement Policy
- Sustainable Public Events Policy
- Events Strategy
- Procurement Manual
- Contracts Management Manual

The Policy should be read in conjunction with the following documents/legislation:

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Adopted by Council 23 September 2019

## SINGLE USE PLASTICS POLICY

Page 4 of 4

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- The Australian Packaging Covenant Organisation's Sustainable Packaging Guidelines (<https://www.packagingcovenant.org.au/documents/item/1091>)

Version	Date Approved	Approved by	Resolution No.	Review Date
1	23 September 2019	Council	275	2020/21

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 Adopted by Council 23 September 2019



## SUSTAINABLE PUBLIC EVENTS POLICY

D1-08

Page 1 of 8

**Policy Owner:** Director Open Space and Environmental Services

**Category:** Operational

**Direction:** 1. Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1 North Sydney Council is committed to sustainability, including within the context of public place event planning and delivery. Council recognises the need for sustainable principles and management practices to be an integral part of all community events.
- 1.2 Council is required under the *Local Government Act 1993* to care for the environment and to ensure that any activities, which they approve, are carried out in a manner that is consistent with the principals of ecological sustainable development.
- 1.3 The objectives of the Policy are to:
  - a) maximise the positive contribution events can play in supporting the sustainable development goals of the Northern Sydney region; and
  - b) standardise a consistent best practice to the sustainable management of events in North Sydney.

### 2. ELIGIBILITY

- 2.1. The Policy applies to all Councillors, staff and contractors conducting public place events on behalf of Council.

### 3. DEFINITIONS

- 3.1. Ecological Sustainable Development (ESD) - using, conserving and enhancing the community's resources so that ecological processes on which life depends are maintained, and the total quality of life, now and in the future can be increased.
- 3.2. Greenhouse Gas (GHG) Emissions - chemical compounds which trap heat in the atmosphere are called greenhouse gases. An increase in these including carbon dioxide and methane as a result of human activity leads to increased climate change and extreme weather events.
- 3.3. Public Place Event - an activity organised by Council Officers aimed at

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Re-adopted by Council 25 June 2018

community members or Council officers for 60 or more people.

- 3.4. Recycle - the process of source-separating from the solid waste stream products that are no longer useable in their present form and that can be used in the manufacture of new products.
- 3.5. Reduce - the decreasing of the volume, weight, or toxicity of materials that enter the solid waste stream. This includes activities that result in more efficient reuse of a product or recycling of materials.
- 3.6. Renewable Resources - materials that can be replenished or regrown within a reasonable timeframe, for example, any organic matter that can be regenerated.
- 3.7. Resource Recovery - is about seeing waste as a resource and is concerned with the waste leftover in rubbish bins after people have reduced, re-used and recycled their waste. Resource recovery involves a range of systems and technologies to reduce waste that is sent to landfill, capture recyclable items from the rubbish, and convert the rubbish into resources such as compost and/or energy.
- 3.8. Reuse - using a product again for the same or a different purpose without further manufacture, e.g. use of second hand boxes for repackaging goods or storage.
- 3.9. Source Separation - the separation of recyclables from the solid waste stream at the source of generation so that recyclable material is kept clean and marketability is improved.
- 3.10. Supply Chain - represents the flow of materials, information, and finances as they move in a process from supplier to manufacturer to wholesaler to retailer to consumer.
- 3.11. Waste Minimisation - reducing the quantity of waste requiring disposal, through waste avoidance, reduction, reuse, or recycling.

#### 4. PROVISIONS

This Policy is linked to implementing Council's vision, mission and core values as outlined in the *Community Strategic Plan*. The following provisions outline the elements of sustainable event management that must be observed by Councillors, employees, consultants and members of the public when conducting public events.

- 4.1. Guiding Principals

4.1.1. Integrity - To ensure the highest level of integrity in production and content, event management is undertaken by event staff:

- a) with professionalism;
- b) with regard for the law;
- c) without bias; and
- d) with regard for the highest standard of ethical consideration (including procurement choices).

4.1.2. Safety - All legal regulations that apply to the event are adhered to and may include:

- a) *Work Health and Safety Act 2012*;
- b) noise, light, and liquor trading hours regulations;
- c) traffic and congestion regulations;
- d) food safety regulations;
- e) disability, accessibility and anti-discrimination regulations;
- f) liquor licensing;
- g) fire, safety and policing regulations (including drug control); and
- h) privacy of personal information (including that supplied electronically).

#### 4.2. Sustainable Event Management - Planning Considerations

Any Council event proposed for a public place for more than 60 people must conform to the conditions set out in this Policy.

It is the responsibility of the event organisers to communicate Council's requirements to all parties involved, including sub-contractors and/or other individuals.

4.2.1. Sustainable Event Management Plan - Council requires that a Sustainable Event Management Plan must be completed and submitted to Sustainability Programs Coordinator four weeks prior to the commencement of an event. Events occurring more frequently than every six months are only required to submit one Sustainable Event Management Plan per year.

Use the *Sustainable Event Management Plan template*. Note: Depending on the nature of the event it may not be necessary to complete all sections of the Sustainable Event Management Plan template.

4.2.2. Stewardship - Council understands that event organisers have temporary custodianship of the land on which the event is carried out, the immediate natural environment and a responsibility for protection

and conservation of natural resources. Council takes into account the 'precautionary principle' for all environmental sustainability aspects and to ensure resource conservation within event planning and delivery.

The following are in place to ensure stewardship of land and resources is considered by our event planning and delivery activities:

- a) all events shall ensure respect for, and acknowledgment of traditional owners, including culturally appropriate ceremonies or formal procedures;
- b) event planning and activities include consideration for biodiversity and local ecological protection;
- c) event planning and activities include consideration for localised environmental impacts;
- d) it is understood that events require the consumption of considerable natural resources and choices are made which reduce this consumption to the minimal level;
- e) event activities produce waste streams (solid, liquid and gaseous) and procedures are in place to reduce these impacts; and
- f) through the sustainable procurement policy the event encourages development and diffusion of sustainable technologies.

- 4.2.3. Community and Habitat Issues - Council will endeavour to ensure that event activities do not disrupt the local community or the natural environment through interference from event production or event programming activities, including: traffic congestion, amplified sound, pedestrian congestion, attendee noise, and attendee behaviour and security issues.

The event destination and event site are in close proximity to natural surroundings which need to be protected and considered in event planning activities including waterways and nature reserves.

That the event may occur near residential zones and neighbourhood amenity is to be considered in event planning and delivery.

- 4.2.4. Energy - Events vary in their energy uses depending on nature, size and location. Council's energy goals are to:

- a) reduce total energy used;
- b) maximise use of renewable energy; and
- c) reduce greenhouse gas emissions as a result of energy use and source of energy supply;

Mobile generators are to be sized appropriate to use.



- 4.2.5. Water - Water is used at events for: drinking, cleaning, hand-washing, and event activities. The event may be held in close proximity to a harbour which may be affected by event activities and must be protected from pollution or disruption to local habitat.

Council's goals for managing potential water-based impacts and issues are to:

- a) minimise disruption to natural bodies of water and the immediate ecological environment;
- b) ensure no contamination of waterways from event activities;
- c) reduce water used by the event; and
- d) reduce wastewater produced by the event.

Goals may be achieved through: capturing rain water at the event site, using water efficient devices, water conservation practices, educating water users on water conservation goals, and waterless amenities. Consideration is to be given where possible and appropriate to the use of better performing facilities for events (Sustainable buildings include the Coal Loader Centre for Sustainability and the North Sydney Community Centre. In terms of parks, for water efficiency, the better performing facilities include: Tunks Park, Primrose Park, Cammeray Park, North Sydney Oval and Forsyth Park. For night events the following parks have more efficient lights fitted: Tunks Park, Cammeray Park, Forsyth Park and Primrose Park).

- 4.2.6. Transport - Transport requirements are recognised as a significant contributor to an event's GHG emissions. While full control is not possible over all transport requirements, we aim to influence reductions in transport impact through our engagement with stakeholders and through adjustments to our procurement and event logistics.

Transport impacts include the production of localized pollution and congestion, along with consumption of non-renewable fossil fuels and creation of greenhouse gases. Transport requirements vary depending on the location and nature of event.

Council's overarching event transport goals are to:

- a) reduce GHG emissions resulting from event attendee travel; and
- b) reduce localised congestion caused by event activities.

Ideally Green Travel Plans would be promoted with events. Also event organisers may consider promoting car pooling sites.

- 4.2.7. Procurement - Purchasing decisions occur in the pre-production phase of event planning, and the right choices need to be made to manage potential sustainability impacts procurement. Product and service providers which procure on behalf of Council are encouraged to understand the impacts of their procurement activities and to take steps to make the most sustainable choices.

Procurement decisions must be made in accordance with Council's *Single Use Plastics Policy*.

Making the optimal procurement decisions balances sustainable options given circumstances of the event and availability of solutions. Considerations include:

- a) resource conservation through purchasing only what is needed in the quantities needed;
- b) store and reuse rather than purchase and discard after a single use;
- c) procuring products and services locally to support the local economy and reduce transport impacts;
- d) procuring products which are made from recycled materials;
- e) procuring products that can be recycled, composted or repurposed at their end of life;
- f) service providers have sustainability policies to ensure sustainable operations and their own sustainable procurement.

Refer to Council's *Procurement Policy* for more information - Council prefers recycled content paper products and biodegradable service ware e.g. plates and cups.

- 4.2.8. Waste Avoidance - The event organiser in consultation with stallholders must take appropriate steps to ensure waste is avoided wherever possible:

- a) eliminate unnecessary packaging;
- b) select materials that reduce waste and litter or are easily recycled;
- c) reuse products where possible such as the containers, boxes and bags used to transport food, drink, clothes and other items; and
- d) must not have a negative impact on the safe presentation or sale of event/food/beverage/merchandise/services.

- 4.2.9. Waste Storage and Collection - materials should be divided into the following groups with minimum contamination:

- a) bottles (plastic and glass) and aluminium cans;
- b) cardboard and paper products;
- c) compostable materials; and

d) rubbish (polystyrene cups, plastic straws, bags, plastic cutlery etc). Facilities must be provided for the source separation of recyclables and waste. This includes the provision of adequate garbage and recycling receptacles in and adjacent to the event area. The above materials are to be collected and stored in designated waste and recyclable 240 litre mobile bins. Recycling Bin Caps are to be placed on 240 litre wheelie bins - bin caps are to be obtained prior to the event from Council's Environmental Services Department.

Bin stations to be positioned close to where food and beverages are consumed; at key entry/exit points to event and catering areas; beside designated pedestrian pathways.

Separated waste and recyclables must be taken to appropriate, licensed receival facilities.

4.2.10. Sustainability Education - Incorporate sustainability messages on all advertising material promoting the event. Approved signage must be displayed prominently to inform patrons of the location and correct usage of recycling and waste facilities. It is important that the signage displayed corresponds with the service that is being offered.

The event coordinator will ensure that all stallholders are made aware of this Policy and its requirements.

4.2.11. Food Oriented Events - Where applicable, at the end of each event, the event coordinator will ensure that all oils and other liquid trade waste is collected and removed from the site of the event adopting any one or more of the following acceptable methods:

- a) oils and other liquid trade waste to be collected and removed from the site of the event by each stallholder where applicable;
- b) a common drum or drums to be provided by the event coordinator for the use of all stallholders for the collection of their oils and other liquid trade waste, those oils and other liquid trade waste to be deposited into the common drums and these common drums to be removed from the site of the event immediately at the end of each event;
- c) there is to be no discharge of oils or other liquid trade waste into any stormwater drain - this is an offence under the *Protection of the Environment Operations Act 1997*; and
- d) there is to be no discharge of oils or other liquid trade waste in public toilets.

## 5. RESPONSIBILITY

- 5.1. All Councillors, staff and contractors are responsible for familiarising themselves with this Policy, as well as related guidelines/procedures.
- 5.2. Council's Environmental Services Department is responsible for providing guidance to event coordinators in the implementation of this Policy.
- 5.3. The community has a role in supporting the principles of sustainable event management. The community is encouraged to actively participate in community events.

## 6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Community Strategic Plan
- Community Engagement Policy
- Sustainable Event Management Plan (template)
- Mobile Food Vending Vehicles and Temporary Food Stalls Policy
- Organisational Sustainability Policy
- Procurement Policy
- Requirements for Temporary Food Stalls
- Single Use Plastics Policy
- Smoking in Public Places Policy

The Policy should be read in conjunction with the following documents/legislation:

- Local Government Act 1993
- Protection of the Environment Operations Act 1997
- Waste Avoidance and Resource Recovery Act 2001
- Waste Avoidance and Resource Recovery Strategy (NSW) 2003
- Workplace Health and Safety Act 2011

Version	Date Approved	Approved by	Resolution No.	Review Date
1	27 November 2012	Council	726	2012/13
2	18 February 2013	Council	61	2016/17
3	25 June 2018	Council	214	2020/21
4	#	Council	#	2024/25

Re-adopted by Council 25 June 2018



## TREE AND VEGETATION VANDALISM POLICY

D1-09

Page 1 of 4

**Policy Owner:** Director Open Spaces and Environmental Services

**Category:** Operational

**Direction:** 1.Our Living Environment

### 1. STATEMENT OF INTENT

- 1.1 This Policy promotes a consistent approach to the protection and management of trees and vegetation in the landscape, particularly in deterring and responding to the loss of vegetation arising from deliberate vandalism on public land. It identifies the actions to be undertaken by North Sydney Council against tree vandalism on public land.
- 1.2 This Policy assists Council to meet the recommendations of the NSW Ombudsman's Enforcement Guidelines (2015).
- 1.3 The objectives of the Policy are to:
- a) promote the value of and need for protection of trees and vegetation on community land;
  - b) provide regional consistency in the deterrence, investigation and response to tree vandalism incidents;
  - c) encourage the sharing of experience, expertise and resources among councils when deterring and responding to tree/vegetation vandalism incidents throughout the North Sydney local government area; and
  - d) promote and guide broader community involvement in the prevention of vandalism, and in investigation and enforcement following vandalism incidents.

### 2. ELIGIBILITY

- 2.1 The Policy applies across the whole of the North Sydney local government area.

### 3. DEFINITIONS

- 3.1 Tree Vandalism - is the unlawful destruction, damage or injury to trees and vegetation on private and public land, examples include poisoning, mowing, pruning, removal and ringbarking.

Adopted by Council [inset date]

- 3.2 Tree or Trees - refers to any tree or plant on public land, regardless of height.

#### 4. PROVISIONS

##### 4.1 Guiding Principles

Council's guiding principles for regarding the protection of trees and vegetation are:

- 4.1.1 Values - Trees and vegetation contribute significantly to environmental health and sustainability, as well as providing tangible benefits to human health and wellbeing. The unauthorised destruction of trees and vegetation is a serious offence.
- 4.1.2 Education - Council's community environmental education program will promote the value of vegetation and the adverse impacts of tree and vegetation vandalism. Community reporting of tree vandalism will be encouraged through education and access to digital reporting media.
- 4.1.3 Monitoring and Prevention - Council will record vandalism incidents and its response to these on a database to allow an assessment of the cumulative impacts of vandalism, to identify high risk areas and to monitor the effectiveness of rehabilitation and response efforts and community education over time.

Council may prepare management plans for individual trees and/or strands of vegetation in high-risk areas. Where prepared, these plans will include rehabilitation response in case of loss or damage. Where appropriate these plans will involve residents in their preparation and implementation and/or will be communicated to residents.

- 4.2 Where offenders are caught in the act of tree or vegetation vandalism, they will be prosecuted under the Development Control Plan 2013: Section 16 - Trees and Vegetation Management (formerly the Tree Preservation Order 2006).
- 4.3 Where Council identifies or suspects tree or vegetation vandalism to have taken place on public land, an investigation and response procedure will be instigated in accordance with Council's Tree Vandalism Response Guidelines. These guidelines provide an incident severity-based response to tree/vegetation vandalism that is both flexible and consistent in its application.

## TREE AND VEGETATION VANDALISM POLICY

Page 3 of 4

### 5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council's Division Open Space and Environment Services is responsible for administering this Policy and taking actions as defined in Sections 4.2 to 4.3 in this Policy.

### 6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Bushland Plan of Management
- Development Control Plan
- Overhanging Branches Policy
- Urban Forest Strategy
- Tree Vandalism Response Guidelines

The Policy should be read in conjunction with the following documents/legislation:

- Environmental Planning and Assessment Act 1979 (Section 125)
- Native Vegetation Act 203 Sections S12(1), S42(2) and 43(1)
- NSW Ombudsman's Enforcement Guidelines (2015)
- Pesticides Act 1999 (Sections 7(1)(b), 10(1)(b) and 15(1))
- Rivers and Foreshores Improvement Act 1948 (Section 22B(1)b)

Version	Date Approved	Approved by	Resolution No.	Review Date
1	23 October 2006	Council	832	2008/09
2	16 February 2009	Council	61	2012/13
3	18 February 2013	Council	61	2016/17
4	25 June 2018	Council	214	2020/21
5	1 July 2021	Fees updated	-	2021/22
6	##	Council	##	2024/25

Adopted by Council [inset date]

**APPENDIX A: INCIDENT AND RESPONSE PROTOCOL**