



QUALITY NATURE - QUALITY HERITAGE - QUALITY LIFESTYLE

ADDENDUM ITEM FOR ORDINARY COUNCIL MEETING WEDNESDAY, 24 FEBRUARY 2021

Notice is hereby given pursuant to Clause 7(1) of Council's Code of Meeting Practice that an **Ordinary Council** will be held in the RSL Pavilion, rear of Memorial Hall, Molesworth Street, Tenterfield, on **Wednesday, 24 February 2021** commencing at **9.30 am**.

Kylie Smith
Acting Chief Executive

AGENDA

10. URGENT, LATE & SUPPLEMENTARY ITEMS OF BUSINESS

(ITEM COM6/21) REGULATORY & OPEN SPACE - UPDATE FUND RAISING
STALLS POLICY - NO. 1.0602

Department:	Office of the Chief Corporate Officer
Submitted by:	Corporate Administration Officer
Reference:	ITEM COM6/21
Subject:	REGULATORY & OPEN SPACE - UPDATE FUND RAISING STALLS POLICY - NO. 1.060

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

CSP Goal:	Leadership - LEAD 12 - We are a well engaged community that is actively involved in decision making processes and informed about services and activities.
CSP Strategy:	Council's decision making processes are open, accountable and based on sound integrated planning.
CSP Delivery Program	Promote and support community involvement in Council decision making process.

SUMMARY

The purpose of this report is to provide the updated Fund Raising Stalls Policy for adoption by Council now the public exhibition period has ended.

OFFICER'S RECOMMENDATION:

That Council adopts the updated Fund Raising Stall Policy - No. 1.060 as attached.

BACKGROUND

It was resolved at the November 2020 Ordinary Council meeting that the Fund Raising Stalls Policy No 1.060 was to be placed on public exhibition for a period of 28 days inviting submissions and then be returned to Council for consideration.

REPORT:

No submissions were received on the Fund Raising Stalls Policy during the 28 day public consultation period.

This policy is to provide clear direction for a workable system of fundraising that is acceptable to; fund raising committees, businesses, and Council. This policy outlines the conditions for a community group to hold a fundraising stall at one (1) of the selected locations.

Council recognises the need for community charities/groups to raise funds from the general public to support their activities. However, it is desirable for fund raising activities in the main business area of Tenterfield to be regulated for a number of reasons.

In this updated policy, Council has changed one of the fund raising stall sites to be located in a more central location being at the front of 242 Rouse Street, Tenterfield, and the raffle display area located next to the disabled park (photos displayed on the application form). Council staff have contacted the businesses that are affected by the new stall location and they have no concerns with the stalls being located at the new site.

Our Community No. 6 Cont...

COUNCIL IMPLICATIONS:

1. Community Engagement / Communication (per engagement strategy)

Policy documents provide guidance to staff and clear guidelines on Council business to the community.

The Fund Raising stalls Policy was placed on public exhibition for a period of 28 days with no submissions received.

2. Policy and Regulation

- Local Government Act 1993
- Local Government (Regulations) 2005
- Local Approvals Policy – 3.121
- NSW Food Act 2003
- NSW Food Regulations 2010
- Australia New Zealand Food Standard Code (FSANZ)

3. Financial (Annual Budget & LTFP)

Nil.

4. Asset Management (AMS)

Nil.

5. Workforce (WMS)

Nil.

6. Legal and Risk Management

Up to date and clear policies assists in mitigating the risk of staff not abiding by the Local Government Act 1993, Local Government (General) Regulations and other legislative requirements.

7. Performance Measures

Council's policies are current, up to date and readily available to the community and Council staff.

8. Project Management

Nil.

Paul Della
Acting Chief Corporate Officer

Prepared by staff member:	Jodie Condrick	
Approved/Reviewed by Manager:	Paul Della, Actg Chief Corporate Officer	
Department:	Office of the Chief Corporate Officer	
Attachments:	1 Draft Fund Raising Stalls Policy 1.060	7 Pages



FUND RAISING STALLS

Summary:

The purpose of this policy is to provide clear direction for a workable system of fund raising that is acceptable to; fund raising committees, businesses, the public and Council.

Policy Number	1.060
File Number	N/A
Document version	V11.0
Adoption Date	25 November 2020
Approved By	Council
Endorsed By	Council
Minute Number	
Consultation Period	25 November to 27 December 2020
Review Due Date	November 2023 – 3 years
Department	Office of Chief Corporate
Policy Custodian	Manager Open Space, Regulatory & Utilities
Superseded Documents	27 April 2000 334/00 20 September 2006 553/06 25 April 2009 713/09 22 July 2009 1017/09 23 June 2010 427/10 23 March 2011 145/11 22 August 2012 292/12 26 March 2014 75/14 23 September 2015 304/15
Related Legislation	<ul style="list-style-type: none"> • Tenterfield Shire Council - Local Approvals Policy – Policy Number 3.121 • NSW Food Act 2003 • NSW Food Regulations 2010 • Legislation Act 2003
Delegations of Authority	<ul style="list-style-type: none"> • Manager Open Spaces, Regulatory and Utilities Manager • Planning & Development Services • Chief Executive • Chief Corporate Officer

1. Overview

Council adopted a policy on "Street Stalls and Raffles" on 21 March 1996. This policy went some way to provide a workable system of fund raising that is acceptable to; committees, businesses, and Council.

~~However, This Policy seeks to alleviate concerns around the number of fundraising activities held on any one day and the siting allocation allotted to the stall holder by the application .has come under scrutiny in recent times with the main complaint being that there should only be one fund raising event permitted on any one day. There was also the problem of fund raising committees not abiding by the siting allocation allotted to them by Council. As a result, a revised "Fund Raising Stall" policy has been developed.~~

2. Policy Principles

Council recognises the need for community charities/groups to raise funds from the general public to support their activities. However it is desirable for fund raising activities in the main business area of Tenterfield to be regulated for a number of reasons including:

- to allow all community charities or groups to approach the public for funds;
- to prevent any individual community charity or group from monopolising fund raising in the business areas;
- to prevent undue inconvenience or annoyance to the public that may arise by an excess of fund raising activities on any particular day.

3. Policy Objectives

Fund Raising Stalls

- Only one fund raising stall will be permitted on any given day.
- ~~Fund raising stalls will only be approved for organisations having local committees or affiliations.~~ Fund raising stalls will only be approved for groups demonstrating Tenterfield Shire Council affiliations.
- The fund raising stall site is to be in front of either "**Bruxner Park, Town Square Stage Structure**" or 242 Rouse Street, Tenterfield as displayed in the attached photographs.
- Fund Raising Raffle display area i.e. Wood Raffle are ONLY to use the one carpark area as defined in the attached photographs. The towing vehicle is to be parked in the Western carpark to the rear of Rouse Street. The type of display is limited to a trailer (single or dual axle) or utility and loads are not to exceed the approved Gross Vehicle Mass (GVM). Trucks are not permitted to utilise the carpark space for the purposes of Fund Raising Stalls.
- Fund Raising Stalls will only be permitted on Thursdays, Fridays and Saturdays.

- Applications for a fund raising stall must be made on a **pre-printed** Fundraising Stall application form at least twenty eight (28) days before the **desired proposed date**. ~~Written notification will be sent to the fund raising committee together with a copy of the application form (which will include a copy of the Fund Raising Stall Policy).~~
- ~~Authorised approval will be emailed to the applicant and need to be displayed throughout during the approved time.~~
- Fund raising stall dates cannot be booked more than six (6) months in advance.
- Fund raising committees will be permitted to have four (4) fund raising stalls per annum, one (1) in each period January to March, April to June, July to September and October to December.
- Where a fund raising stall date remains available seven (7) days or less beforehand, any fund raising committee may take the booking on a 'first come' basis.

(Note: This booking will be counted as one (1) of the four (4) bookings allowed each year.)

- The length of the fund raising stall on the footpath is not to exceed 2.5 metres by 1 metre as displayed in the attached photographs.
- Volunteers of fund raising committees are not permitted to spruik (i.e. verbally harass a member of the public into buying something).
- ~~The fund raising committee must display an official "Tenterfield Shire Council Fund Raising Stall" sign.~~
(Note: This sign will need to be collected from the Tenterfield Shire Council office on the morning of the stall and returned to Council prior to 4.30 p.m.)
- **Each nominated organisation Fund-raising committees must ensure that they abide by the conditions specified in this Policy and in particular the site allocated to them. Council will patrol fund raising stalls on a regular basis and if a fund raising committee is found to be in breach of this Policy then they may be required to either cease immediately, or move to the designated location, in addition to being precluded from holding a fund raising stall for a period of twelve (12) months.**

4. Policy Statement

The Purpose of this policy is to identify position on fundraising practice and expected standards the organisations, public and Council should uphold.

5. Scope

To define the requirement for any person or group seeking to conduct street stalls in accordance with both Legislation and this Policy.

6. Accountability, Roles & Responsibility

Elected Council

Adopt the policy to provide guidance to the activity

Chief Executive, Executive and Management Teams

Open Spaces Regulatory & Utilities Manager is responsible for the development, approval and maintenance of procedures/protocols that support the Council's Policies.

Council Staff

Will provide administration support and accept applications

7. Definitions

Fundraising – the seeking of financial support for a charity or other enterprise

Stall – a stand, booth or compartment for the sale of goods.

8. Related Documents, Standards & Guidelines

- Tenterfield Shire Council - Local Approvals Policy – Policy Number 3.121 -
- Food Act 2003 (NSW)
- NSW Food Regulations 2015
- Legislation Act 2003

9. Version Control & Change History

Version	Date	Modified by	Details
V1.0	27/04/00	Council	Adoption of Original Policy (Res No. 334/00)
V2.0	20/09/06	Council	Review/Amended (Res No. 553/06)
V3.0	25/04/09	Council	Review/Amended (Res No. 713/09)
V4.0	22/07/09	Council	Review/Amended (Res No. 1017/09)
V5.0	23/06/10	Council	Review/Amended (Res No. 427/10)
V6.0	23/03/11	Council	Review/Amended (Res No. 145/11)
V7.0	22/08/12	Council	Review/Amended (Res No. 292/12)
V8.0	26/03/14	Council	Review/Amended (Res No. 75/14)
V9.0	23/09/15	Council	Review/Amended (Res No. 304/15)
V10.0	23/08/17	Council	Review/Amended (Res No. 168/17)



TENTERFIELD SHIRE COUNCIL
FUND RAISING STALL APPLICATION FORM

Name of Fund Raising Committee:

Address of Fund Raising Committee:

Contact Person: Mr/Mrs/Miss/Ms

Position Held:

Telephone Number:

Date Requested:

Is this a Wood Raffle: Yes No

I/We hereby certify that I/We have read the Fund Raising Stall Policy on the back of this application form and I/We agree to be bound by the conditions stated therein.

.....
Signed for and on behalf of Fund Raising Committee

1.1 OFFICE USE ONLY

Is date requested available Yes
No

Does fund raising committee satisfy Policy guidelines Yes
No

Requested date of has/has not been approved.

Allocation is in front of *(Please tick your preferred option)*

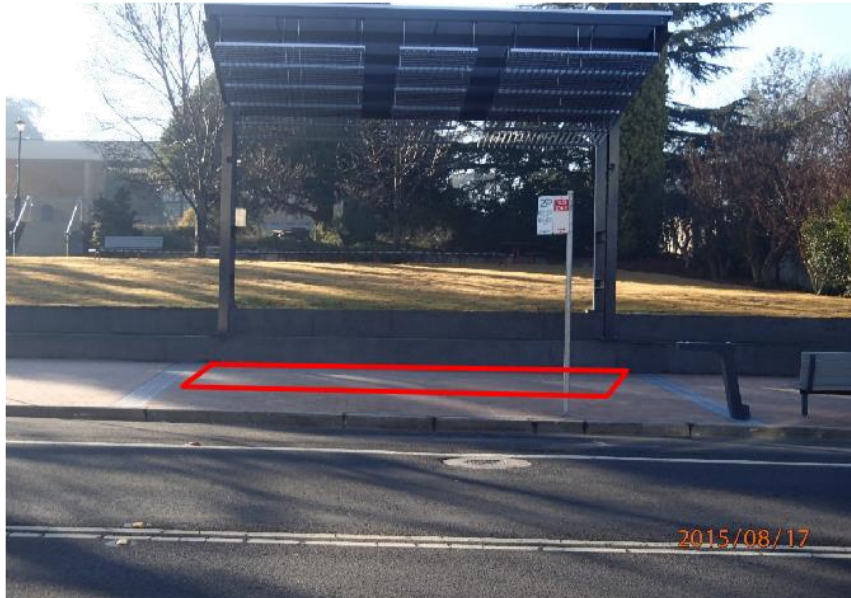
"Bruxner Park, Town Square Stage Structure" Rouse Street, Tenterfield.
(Option 1)

Brew & Bar, 242 Rouse Street, Tenterfield (Option 2)

.....
Council Officer

.....
Date Actioned

**Option 1
Stall Area**



Stall Area 2.5 metres long X 1 metre deep

Raffle Display Area



Raffle Display Area for Goods
i.e. Wood Raffles

**Option 2
Stall Area**



Stall Area 2.5 metres long X 1 metre deep

Raffle Display Area



Raffle Display Area for Goods
i.e. Wood Raffles