

**POLICY NAME:** FUNDRAISING AND STREET STALLS

**POLICY REF:** F02

**MEETING ADOPTED:** 25 August 2022  
Resolution No. 250822/15

**POLICY HISTORY:** Policy addition from Resolution No  
230622/5 (15 November 2022),  
251018/19; 231014/25; 230910/24;  
271005/038; 111203/037



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## TABLE OF CONTENTS

1. OBJECTIVE.....	2
2. POLICY.....	2
3. BACKGROUND.....	3
4. DEFINITIONS .....	4
5. SCOPE OF POLICY .....	4
6. RELATED DOCUMENTATION.....	4
7. REVIEW.....	4

## 1. OBJECTIVE

This policy has been developed to provide guidance for Ballina Shire based community groups to hold street stalls for fundraising activities in the central business districts of Ballina, Alstonville and Lennox Head.

## 2. POLICY

- **Fundraising Applications** - Can be obtained from Council's Customer Service Centre or on our website [ballina.nsw.gov.au](http://ballina.nsw.gov.au). Applications for a fundraising activity must be made on Council's application form and received by Council at least 14 days before the fundraising.
- **Public Liability Insurance** - Prior to the application being approved Council must be in receipt of the organisation's public liability certificate of currency to a minimum coverage level as recommended by Council's insurance brokers. Council accepts no responsibility for any accident or injury arising from any street stall as its only involvement is granting permission for the stall to be held.
- **Authority to Fundraise** – If the organisation raises over \$15,000 in a financial year, this will be required. It can be obtained by contacting the NSW Fair Trading on 13 32 20 or [fairtrading.nsw.gov.au](http://fairtrading.nsw.gov.au) and follow the charities link.
- **Not-for-Profit Certificate** - Can be obtained by contacting the Australian Taxation Office, 13 28 61 or go to their website [ato.gov.au](http://ato.gov.au) and follow the Not-for-Profit link.
- The activity must be carried out within the allocated areas (see locality maps in Fundraising Guidelines), without the use of amplification, A-Frame signs or marquees.
- Permission is also required from the proprietor of the shop marked in the locality maps.
- Only one fundraising stall will be permitted, per site, on any given day.
- Approval will only be granted to locally not-for-profit community groups and charity organisations.
- The length of the stall is not to exceed 2.5 metres and must not hamper pedestrian traffic.
- The name of the organisation must be clearly exhibited on the stall for the information of the general public for example a banner or poster. If volunteers are moving around with merchandise identification badges with the organisation's name must be worn. Freestanding signs are not permitted.
- Stallholders are not permitted to use decorations such as balloons and banners, that encroach the pedestrian path or distract traffic.
- The street stall must not result in the loss of any carparking unless utilising the Lions Club caravan (see locality map in Fundraising Guidelines).
- Stallholders are not permitted to spruik (i.e. verbally coerce a member of the public).

- The area should be left in a clean and tidy manner at the conclusion of the event.
- From 1 January 2023, the use or supply of all types of balloons, where all, or part, of the event occurs outside is prohibited.
- Food stalls are to sell only pre-wrapped low risk foods OR foods that are thoroughly cooked and served for immediate consumption (sausage sizzles and the like). Pre-wrapped foods sold at a charitable fundraiser event are not required to be labelled however details of all ingredients and food additives in the foods are required to be kept at the stall. This is particularly important for the identification of potentially allergenic ingredients.

The NSW Food Authority website contains fact sheets on food safety and food hygiene requirements, labelling and food allergens at [foodauthority.nsw.gov.au/foodsafetyandyou/keeping-food-safe/charities-groups-and-volunteers](http://foodauthority.nsw.gov.au/foodsafetyandyou/keeping-food-safe/charities-groups-and-volunteers). If you have any further questions, please contact Council's Environmental Health Officers on 02 6686 1210 during office hours.

### **Ballina Stallholders**

Stallholder to arrange own table and locate outside 131 River Street (Greater Building Society).

Stallholder using Lions Club Caravan (contact Ballina Lions Club for further information) should locate in front of 109 River Street (Wallace & Co). A large table is not permitted in combination with the caravan, however a small card-style table against the van is acceptable for the purposes of a display or raffle ticket selling.

### **Lennox Head Stallholders**

Stallholder to arrange own table, and locate outside on the western side of 72 Ballina Street, or adjacent to Ross Park on the eastern side Ballina Street.

### **Alstonville Stallholders**

Stallholder to arrange own table and locate outside 79-83 Main Street on the southern side of Main Street.

### **Door Knock Fundraising**

Council has no regulatory role over door knocking charities. Applications for approvals should be made to the NSW Government and NSW Fair Trading.

## **3. BACKGROUND**

Council also has an obligation to the public to control activities held in public places or areas under the control or management of Council.

Council also recognises the need for community charities/groups to raise funds from the general public to support their activities. However, fundraising activities in the central business districts of Ballina, Alstonville and Lennox Head need to be regulated:

- to allow all locally based community charities or groups to fundraise.
- to prevent any individual community charity or group from monopolising fundraising in the business areas.

- to prevent inconvenience or annoyance to the public that may arise from an excess of fundraising activities on any particular day.
- to ensure that the community groups' and Council's insurance obligations are met.
- to prevent campaigning from political parties.

#### 4. DEFINITIONS

<b>Applicant:</b>	means a person or organisation applying for approval to hold a street stall
<b>Application:</b>	means an application made under this policy
<b>Authorised Officer:</b>	means an officer of Ballina Shire Council authorised in the administration and/or enforcement of this policy
<b>Council:</b>	means Ballina Shire Council
<b>Authority to Fundraise</b>	a licence to fundraise issued by the NSW Fair Trading
<b>Not-for-profit Certificate</b>	certification issued by the Australian Taxation Office that a group is a not-for-profit organisation

#### 5. SCOPE OF POLICY

This policy outlines the approval process and Council requirements for fundraising in the Ballina Shire.

This policy only applies to Ballina Shire based community groups undertaking fundraising activities.

#### 6. RELATED DOCUMENTATION

- Fundraising Application Form
- Fundraising Guidelines
- Authority to Fundraise - NSW Fair Trading
- Not-for-profit guidelines - Australian Taxation Office
- Charitable Fundraising Guidelines – NSW Fair Trading

#### 7. REVIEW

This policy is to be reviewed every four years.