



Ashfield Council

Charitable Collections Policy

November 2012

This policy will be reviewed triennially by: Planning &
Environment

Next review date: November 2015

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| Title: | Charitable Collections Policy |
| Summary: | Policy and procedure for applying for a permit for public collections for charity in the Ashfield LGA. |
| Record Number: | |
| Date of Issue: | November 2012 |
| Approval: | Council 20/2/90, 04/06/96, 13/11/2012 |
| Version Control: | V1 – Feb 90 V2 – June 96 V 3 – August 2011 |
| Contact Officer: | Manager Regulatory Services |
| Relevant References: | NSW Office of Liquor, Gaming and Racing |
| Main Legislative or Regulatory References: | Charitable Fundraising Act (NSW) 1991 |
| Applicable Delegation of Authority: | Manager Regulatory Services Council Rangers |
| Related Ashfield Council Policy: | Street Entertainment Policy Outdoor Dining and Footpath Trading Policy |
| Related Ashfield Council Procedure: | Application Form for Street Collection/Street Stall Permit |

Policy Background

Many organisations which provide a range of services to the community conduct fundraising appeals in the public domain in order to finance their various charitable activities. Ashfield Council is supportive of such endeavours while seeking to ensure only legitimate fundraising is permitted whether for a local organisation or a state or national charity.

Policy Purpose

The purpose of this of this policy is to enable and assist legitimate public appeal charity collections to be undertaken in the Ashfield community. Street and/or house to house collection or appeals will be permitted only to:

- a) Those organisations operating, or with an Auxiliary operating within the Ashfield Local Government Area (LGA) or its immediate surrounding;
- b) Those appeals of a national and/or state-wide character.
- c) Local schools and church organisations engaging in local fund-raising.

The policy does not apply to political organisations and community groups which are distributing public information only and not seeking to solicit funds.

Policy Objectives

- To establish guidelines in respect of Charity Street Collections, Charity Street Stalls for the Sale of Goods and other Charitable Street Appeals,
- To facilitate charitable collections in the Ashfield LGA on public property in a way that supports organisations but also minimises disruption to residents and businesses.
- To provide reasonable access to public property under the control of Ashfield Council for the purposes of charitable collections..
- To allow a high level of delegation to Council officers for quick response and approval of applications for charitable collections without delay.

Implementation and access

Local organisations or Auxiliaries: Street and/or house-to-house collections or appeals will be permitted by Council twice in each year per organisation, one day to be available in the period January to June, and one in the period July to December.

National/State-Wide Appeals: Street or house-to-house collections or appeals will be permitted by Council on one day of any one year, that day being the main appeal day of the organisation concerned.

Exemption: This policy does not apply to community groups and political groups distributing information only.

Applications for charity collections in the Ashfield LGA must be made in writing to the Manager Regulatory Services on the Application Form. The following conditions will be addressed in processing applications.

Conditions

Requirements regarding charity collections and fundraising published by the Charities Unit (part of the NSW Office of Liquor, Gaming and Racing) must be adhered to at all times.

All applications to Ashfield Council must be accompanied by a Certificate of Currency (Public Liability Insurance). The applicant's name must correspond with the name of the insured. The Certificate of Currency must include:

1. Name of the insured
2. Duration of cover
3. Amount insured (for example \$10 million or more)
4. Name and details of the insurer
5. Policy number

Collections shall only be conducted in the area and the times specified in the approval. Permits are only valid for the area stated in the approval and roaming the streets is not permitted. Charity collections which are not part of Council initiated activities or approved by Council shall not collect from the Civic Centre plaza area directly in front of Council offices. As a general principle, where applications for a permit for the same dates are received from different charities, it is preferred that charity collections are undertaken in different suburbs to avoid overlapping activities. This will be subject to assessment by Council staff to determine whether this requirement is necessary or not depending on the scale of the proposed charity collection.

Persons making the collection must not impede the flow of pedestrians and access must be maintained at all times in public thoroughfares. Collectors shall not harass pedestrians. A "no thank you" to a request from a charity collector means no further approaches should be made. Collectors shall not follow the pedestrians repeating requests.

Charity street based collections must be located on kerbside and cannot protrude more than 600mm into the footpath. There must be a clear passage width available of 1.8 metres for pedestrian access.

For face-to-face appeals, collectors must wear identification badges which must state the name of the authorised fundraiser, a contact telephone number and the name of the collector. Each badge should also indicate its issue and expiry dates as required by the NSW Office of Liquor, Gaming and Racing (OLGR).

Use of props, equipment, stages, back drops, 'A' Frame signs or marquees is prohibited, unless for Council's own events. Amplification equipment is prohibited, unless for Council's own events or under the other approved activities (such as those covered by Council's Street Entertainment Policy).

Schools must provide a letter of their intended activities on the letterhead of the school or the Parents and Citizens Association and supply a copy of their Certificate of Currency.

A copy of the 'Authority to Fundraise' certificate from the NSW Office of Liquor, Gaming and Racing must be submitted to Council upon lodging an application for a permit.

Permit Fees

The permit fees are charged in accordance with Ashfield Council's Fees and Charges. Council charges an Application Fee to cover the processing of the application. All profit based/ commercial organisations/ businesses and third party collecting agencies must pay the application fee as prescribed in Council's Fees and Charges. Not-for-profit and charitable organisations are exempt from paying the fee.

Fees apply for all promotions and charitable collections on Council property, and must be paid in full, prior to commencement. A schedule of fees is made public annually and can be found on the Ashfield Council website.

Applications

Applications received by Council will be processed by Council officers under delegated authority as authorised by the General Manager. A copy of the application form to be completed is attached. Applications should be lodged no later than four weeks prior to the collection period.

Compliance

By signing the application, applicants agree to comply with the conditions laid out in this Policy. Non-compliance may result in the immediate cancellation of the permit and the forfeiture of the fee or the issue of an on-the-spot infringement fine.

Charity Street Stalls – Ashfield, Haberfield, Summer Hill and Croydon Shopping Centres

Street stalls requiring placement on the main footpath or in areas where they obstruct pedestrian traffic are not approved for these designated areas and also due to the potential liability to Council. The Fountain space located on Lackey Street in the Summer Hill shopping centre is a permitted zone for fundraising purposes.



Application for Charitable Collections Permit – Ashfield Council

SECTION A – APPLICANT DETAILS

Name: _____

Organisation: _____

Postal Address:

Contact Telephone Number(s): _____

Fax Number: _____ Email: _____

SECTION B – LOCATION DETAILS (where charitable collections will be undertaken)

Street: _____

Between Streets: _____ and _____

Property No : _____ (if known)

No of vehicles to be used : _____

Number of persons involved: _____

Reason / Purpose: _____

Requested Date/s: _____ to _____

Requested Time/s: _____ to _____

Other specific information: _____

HAVE YOU ATTACHED THE FOLLOWING ?

- Copy of Certificate of Currency (Public Liability Insurance)
- Copy of Promotional Material for fundraising
- Copy of the 'Authority to Fundraise' Certificate



SECTION C – INDEMNIFYING COUNCIL

I, _____ indemnify Ashfield Council against all claims for damage or injury that may result from the activity or occupation of part of the public way during the activity.

Signature: _____ Date: _____

Witness: _____ Date: _____

SECTION D- SITE SPECIFIC INFORMATION

Specific Conditions / Comments:

I have read and understood the Charitable Collections Policy of Ashfield Council and will comply with all conditions of consent.

Signature: _____ Date: _____

Position: _____ (must be an authorised officer)

PRIVACY STATEMENT

If you are applying for consent as an individual, you may be providing Council with personal information (such as your name and address) within the meaning of the *Privacy and Personal Information Protection Act 1998*.

You are obliged by law to provide your name and address. If you do not provide the personal information requested Council may be unable to process your application.

Council is collecting this personal information from you in order to identify and process your application.

You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from being made publicly available. Council will consider any such application in accordance with the relevant legislation.

Enquiries concerning this matter can be addressed to Council’s Manager Regulatory Services.

COUNCIL/ OFFICE USE ONLY

| Date Received | Permit fees required | | Approval |
|---------------|----------------------|----|----------|
| | Yes | No | |
| | | | |