

STREET STALLS

1. STATEMENT OF POLICY INTENT

The intent of this policy is to provide approval to community and charitable organisations to carry out street stall activities for the purpose of raising funds, while ensuring pedestrian and road traffic are not unduly affected.

2. DEFINITIONS AND ABBREVIATIONS

Act	Local Government Act 1993 (NSW)
GM	General Manager
Regulations	Local Government (General) Regulations 2005 (NSW)

3. POLICY

This policy has been created to regulate the conduct of and approval for street stalls carried out for the purposes of raising funds for local community and charitable organisations.

This policy has been created in line with current legislation for street stalls and Council's required Application form and Food Handling procedures.

This policy applies to all community and charitable organisations and individuals, applying for street stall permission within Wentworth Shire.

This policy applies to the issuing of permissions for street stalls.

Applications are to be made by completing Council's "Application for Street Stall" form available on request by telephone, email, facsimile or in person at Council's reception desk.

Applications must be made no later than 14 days prior to the date of the street stall commencement and requires all of the following information:-

1. A copy of the applicant's Certificate of Currency of Public Liability (see WPP)
2. Consent of owner/tenant of the property where street stall is proposed (if on private property or shop front)
3. Locality sketch of proposed street stall
4. A fee (inclusive of GST) for non-charitable organisations at the discretion of the General Manager. A different fee (inclusive of GST) will be charged for charitable organisations at the discretion of the General Manager.

In assessing applications for street stalls the following matters will be considered:-

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Previous Effective Date	15/3/2006	Date for Review	21/10/2010
Other Reference:	Nil		
Application:	Nil		
Attachments:	Nil		

1. Any goods or structures used in conjunction with the display or sale of goods shall not extend more than 1.2 metres from the front of the shop alignment and shall not extend beyond the length of the shop frontage. The front entrance of the shop should be kept unobstructed at all times.
2. A clear distance of at least 2 metres in width is to be maintained between any goods displayed and the kerb line at all times so as not to interfere with pedestrian traffic.
3. No structure used for the display of goods shall be fixed to the footpath and all structures/goods displayed on the footpath must be removed upon close of trading. Footpaths should be kept clean and tidy at all times.
4. Any damage caused to Council's footpath must be removed upon close of trading. Footpaths should be kept clean and tidy at all times.
5. The owner or applicant shall indemnify Council against all claims of public liability and shall maintain a public liability insurance policy to the satisfaction of Council.
6. Amplified music or other noise generation associated with the trading activity is not to adversely impact upon the amenity of the street.
7. Any food handling is to comply with council's Guidelines for food handling, the Food Safety Code and guidelines given at www.foodstandards.gov.au.
8. Appropriate identification of the organisation operating the stall shall be displayed on the stall from the public view. This may be the name or logo of the organisation.
9. National appeal days will be given first priority in the area. All other bookings will not be allowed on these days.
10. A maximum of 2 days per organisation will be allowed per month. This will apply to all organisations. A maximum of 12 bookings per calendar year will apply to any one organisation. A fee will be charged for each booking (where applicable – see above).
11. Where street stalls are to be held on rural road reserves or verges, the application will be referred to the appropriate Council department for comment.

Raffles

Raffles can only be conducted for the purpose of raising funds for a registered charitable organisation subject to the appropriate approval having been obtained beforehand from:-

Office of Charities
 Department of Gaming and Racing
 GPO Box 7060
 SYDNEY NSW 2001
 Telephone: (02) 9995 0666
 Website: www.dgr.nsw.gov.au

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4. RESPONSIBILITY/ACCOUNTABILITY

Applications for street stalls held on public footpaths are processed by Council’s Customer Services Officers. Once processed applications are approved by appropriately delegated staff in Corporate Services.

5. RELATED DOCUMENTS

5.1. ASSOCIATED LEGISLATION

- Councils have been granted the right of approval under Section 68 Part D(1) and Part F(7) of the Local Government Act 1993.
- Food Act 2003
- Food Standards Australia New Zealand Act 1991 – No. 118 of 1991 – (formerly Australia New Zealand Food Authority Act 1991).

5.2. ASSOCIATED GOVERNMENT POLICY PROVISIONS

Nil

5.3. ASSOCIATED COUNCIL DOCUMENTS

Street Stalls WPP

6. POLICY STATUS

This policy was formally adopted by Council on 21 October 2009 and commenced operation on 21 October 2009. This policy replaces the previous version adopted on 15 March 2006 and includes legislative requirements under the Local Government Act 1993, Food Act 2003, and the Food Standards Australia New Zealand Act 1991.

7. POLICY REVIEW

This policy may be amended at any time and must be reviewed at least twelve months since its adoption (or latest amendment).

8. AUTHORISATION

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 Position: General Manager

Date: /...../.....

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