
POLICY REGISTER

Title:	Conducting Charitable Collections, Sale of Raffle Tickets, Busking, Canvassing, Promotions and conducting Protests on Council Land
MOSPLAN Reference:	11.05.08 and Program 8
Date Adopted:	4 March 2008 (CS/7)
Date Reviewed:	6 May 2008 (CS/21)

Policy Details:

That Council will regulate the activities of those persons collecting on behalf of a charitable organisation, selling raffle tickets, busking, canvassing, promoting or protesting on Council controlled land in accordance with Council's adopted standard conditions as follows:

Charitable Collections and Sale of Tickets in Raffles, Art Union etc:

- Guidelines regarding charity collections and fundraising published by the Office of Charities, Department of Gaming and Racing must be adhered to at all times.
 - All applications 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:
 - name of the insured
 - duration of cover
 - amount insured (minimum \$10 million)
 - name and details of the insurer
 - policy number
 - Collection shall only be conducted in the area and at the times specified in the approval. Permits are only valid for the area stated in the approval - roaming the streets is not permitted.
 - If the collection includes access to private property, the owner's consent must be obtained prior to collection.
 - Persons making the collection must not impede the flow of pedestrians - pedestrian access must be maintained at all times.
 - Collectors should not harass pedestrians. A "no thank you" to a request for charity means just that. Collectors should not follow the pedestrian repeating requests.
 - Total collections are limited to one group per day with a maximum of three groups per week. Maximum number of collections per charity group not to exceed six per year unless authorised by Council for special occasions. The following organisations are able to conduct collections on unlimited occasions subject to lodgement of applications:
 - ◆ Legacy,
 - ◆ Salvation Army,
 - ◆ Cancer Council,
 - ◆ Red Cross and
 - ◆ Mosman service clubs (Mosman Lions Club, Mosman Rotary Club and Mosman Probus Club)
 - Sale of Raffle tickets or tickets in Art Unions etc is limited to Local (Mosman branch) not for profit organizations and Mosman sporting clubs.
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- A card table 1m x 1m is permitted at some locations. Details of the location of the table must be supplied in the application.
- Use of props, equipment, stages, backdrops, A Frame signs, stalls or marquees is prohibited.
- Amplification is prohibited.
- 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.
- By signing the application, applicants agree to comply with the conditions laid out in the Mosman Council Charitable Collections and Sale of Raffle Tickets Policy. Non compliance may result in the immediate cancellation of the permit and or the issue of an on the spot infringement.

Busking:

- Applications for permit/s allowing busking in the Mosman Council designated areas must be sought through Mosman Council.
- Permits are not transferable
- Frequent (Busker) (six times in 12 months) must provide Council with evidence of current:
 - Public and Products Liability Insurance. (Note - minimum \$5 million total value)
 - Workers Compensation Insurance where required by the law.
- Not for Profit Performers must also apply for a permit.
- Children under 18 must also apply for a permit. Proof of parental consent must be provided for applicants under the age of 18 years.
- For the purposes of identification applicants are required to present proof of identity in one of the following forms at the time of application before a Busking permit will be issued:
 - A student identity/proof of age card
 - A current passport
 - A bankcard or credit card with signature
 - Current drivers' licence
- Display structures and A Frame signs are not permitted and signs or banners are not to be attached to trees or street or direction signs. Signs on private property are only permitted with the consent of the owner/proprietor of the private property.
- By signing the Application for a Permit for Busking in Mosman applicants agree to comply with the conditions laid out in the Mosman Council Busking Policy. Non compliance may result in the immediate cancellation of the permit and/or the issue of an on the spot infringement.

Buskers:

- must remain within their specified zone.
 - must display their Permits to Busk in a prominent, highly visible position at the busking site at all times.
 - operating in a commercial area must first consult and obtain the consent from the occupier/proprietor of the premises immediately adjacent to their proposed busking location.
 - must not solicit funds however can accept volunteered monetary appreciations.
 - must carry out directions issued by the NSW Police Force, Ambulance, Fire and any other Emergency Services or Mosman Council Rangers or authorized officers.
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- must immediately terminate their performance if a Council Ranger or authorized officer deems the act as too loud, offensive, invasive, dangerous or as likely to cause harm to persons or private or public property.
- must not unreasonably restrict or cause obstruction to pedestrian flow or entrances to shops or buildings.
- must make sure their site (equipment/instruments) do not pose a threat to public safety i.e. impede pedestrian access and/or be a trip hazard.
- must keep their designated site clean while they are performing.
- must not use dangerous implements or materials as part of their performance.
- must not perform longer than three hours at any one site.
- must not sell or make offer for sale any commodity unless written consent by Council is noted on the permit.
- must not advertise or be seen to be endorsing any product of any kind in conjunction with their performance.
- must not use amplification.

Canvassing/Promotions:

- Applications for permit/s allowing promotions / canvassing in the Mosman Council designated areas must be sought through Mosman Council.
 - All profit based/commercial organisations / businesses must pay the application fee as prescribed in the Pricing Policy.
 - The application must clearly detail how the canvassing / promotion is to be conducted.
 - All applications must be accompanied by a Certificate of Currency in respect of a Public Liability Insurance policy they have in their name. The applicant's name must correspond with the name of the insured. The Certificate of Currency must include:
 - name of the insured
 - duration of cover
 - amount insured (minimum \$10 million)
 - name and details of the insurer.
 - policy number.
 - The applicant and personnel involved in the activities shall comply with any directive of Mosman Council Rangers or an authorised officer.
 - A maximum of 5 promotions by an applicant / business will be approved in any one twelve month period.
 - The applicant and personnel involved in the activities shall not inconvenience or obstruct pedestrian, vehicular traffic or occupants of premises in the vicinity of the activities.
 - The applicant must indemnify Mosman 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.
 - The applicant and personnel involved in the activities shall ensure that the activities do not disrupt normal day to day business operations located in the vicinity of the activities.
 - The applicant and personnel involved in the activities shall be responsible for any damage caused to the public place as a result of the activities and will reimburse Council for the cost of any necessary repairs.
 - The applicant and personnel involved in the activities shall maintain the areas to be used in a clean and tidy condition to the satisfaction of Mosman Council and shall reimburse Council for any extraordinary cleansing costs resulting from the activities.
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- A Frame signs are not permitted and signs or banners are not to be attached to trees or street or direction signs. Signs on private property are only permitted with the consent of the owner/proprietor of the private property.
- A card table 1m x 1m is permitted at some locations. Details of the location of the table must be supplied in the application.
- Council reserves the right to cancel this approval at any time.
- Any conflict of interest with adjoining or adjacent business operations will not be approved.
- Should the promotion involve the handling of food all relevant standards and conditions must be complied with as required by Council's Environmental Health Officers.
- By signing the application, applicants agree to comply with the conditions laid out in the Mosman Council Canvassing/Promotions Policy. Non compliance may result in the immediate cancellation of the permit and the forfeiture of the fee, and/or the issue of an on the spot infringement.
- Refer to separate policy regarding the canvassing for federal, state and local government elections.

Protests:

- The applicant must first obtain the consent of the NSW Police of the proposed activities and the applicant and personnel involved in the activities shall comply with any conditions imposed by it.
 - Applications for permit/s allowing protests in the Mosman Council designated areas must be sought through Mosman Council.
 - The applicant must clearly detail nature of protest and how the protest is to be conducted.
 - The applicant and personnel involved in the activities shall comply with any directive of Mosman Council Rangers or other authorised officer.
 - The applicant and personnel involved in the activities will not inconvenience pedestrian and vehicular traffic and occupants of premises in the vicinity of the activities.
 - The applicant must indemnify Mosman Council against all claims for damage or injury that may result from the activity or occupation of part of the public property during the activity.
 - The Council retains the right depending on the nature of the protest to require the applicant to produce evidence of public liability insurance cover under which Council is indemnified to the extent of at least \$5 million.
 - The applicant and personnel involved in the activities shall ensure that the activities do not disrupt normal day to day business operations located in the vicinity of the activities.
 - The applicant and personnel involved in the activities shall be responsible for any damage caused public property as a result of the activities and will reimburse Council for the cost of any necessary repairs.
 - The applicant and personnel involved in the activities shall maintain the areas to be used in a clean and tidy condition removing all items including waste generated as a result of the activity to the satisfaction of Mosman Council. The applicant shall reimburse Council for any extraordinary cleansing costs Council may incur should it be required to undertake the necessary cleaning.
 - Council reserves the right to cancel this approval at any time.
 - Any conflict of interest with adjoining or adjacent business operations will not be approved.
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- A Frame signs are not permitted and signs or banners are not to be attached to trees or street or direction signs. Signs are not to be placed on private property unless the consent of the owner/proprietor of the private property has been granted.
- A card table 1m x 1m is permitted at some locations. Details of the location of the table must be supplied in the application.
- By signing the application, applicants agree to comply with the conditions laid out in the Mosman Council Conducting a Protest Policy. Non compliance may result in the immediate cancellation of the permit and or the issue of an on the spot infringement.

Reference(s): Charitable Fundraising Act 1991
Section 632 Local Government Act 1993

Responsible Department(s): Corporate Services
