



WORKS AND INFRASTRUCTURE

Street Vending Charity Fundraising Information Kit

AIMS

Cessnock City Council (CCC) aims to support the use of footpaths in public road reserves by assessing applications and granting consent for street vending and fund raising, conducted by, or on behalf of, registered Australian charities or local community support groups.

DEFINITIONS

Fund Raising: Seeking donations in support of a registered Australian charity or local community support group that may impact on the normal movement of persons and vehicles within the road reserve.

Local Community Support Groups: Groups or organisations that support local community activities such as sport, the arts, faith, horticulture, social and environmental activities, and the like.

Public Road Reserve: Public space between property boundaries including travel and parking lanes, road shoulder, verge, gutter, footpath, and nature strip.

Registered Australian Charity: An entity that is registered with the Australian Charities and Not-for-profits Commission (ACNC) as a charity. A charity must be not-for-profit, have a charitable purpose and be for the public benefit.

State Roads: Roads classified by Roads & Maritime Services (RMS) due to their hierarchy in the road network and traffic volumes.

Street Vending: Sale of food or goods on the footpath or nature strip.

The Applicant: The Applicant is the property owner, developer or contractor/person/company undertaking the work, and is seeking consent to do so.

CONSENT FROM CESSNOCK CITY COUNCIL

As the Road Authority, CCC is responsible for, and gives consent to, events or activities that may impact on all roads. Consents for street vending and fund raising are issued under Section 139A of the [NSW Roads Act 1993](#), with relevant conditions

Typical fund raising:

- Selling food, such as cake stall, sausage sizzle
- Selling tickets for raffles, chocolate wheels and the like,
- Seeking donations.

Other approvals may be required from CCC related to the street vending or fund raising for the preparation, storage and serving of food.

CONSENT FROM OTHER AGENCIES

Prior approvals may also be required from other authorities, such as the registered Australian charity and the NSW Police Force, before CCC consent under the Roads Act is issued.

Charitable Organisation – Authority to Fund Raise: For events or activities involving fund raising, an *Authority to Fundraise* document is required to be provided by the registered Australian charity.

NSW Police Force – Notification to Hold Public Assembly: Where more than five (5) people will gather and remain within the public road reserve or on a road related area in close proximity, a [Form 1 - Notice of Intention to Hold a Public Assembly](#), in accordance with the NSW Summary Offences Act 1988 and provisions of the NSW Crimes Act 1900, is required. The form should be completed and can be lodged at any local Police Station.

REQUIREMENTS

Dates, Times and Details: Details that assist CCC to determine the impact of the Street Vending on other road users.

Risk Management: Street Vending is undertaken at the risk of the organiser. Prepare a Risk Assessment using a Risk Assessment Worksheet, to Identify issues such as:

- Inherent safety hazards and risks on the site
- Access restrictions, and obstacles that may impact road users
- Need for a Traffic Control Plan
- Measures to eliminate or mitigate the risk of harm or injury
- Measures to eliminate or mitigate the risk of loss, amenity, or inconvenience
- Nomination controller of the site

Public Liability Insurance: To have an activity in a public road reserve provide insurance to cover the general public as well as all vehicles and pedestrian use. Provide a Certificate of Currency for Public Liability Insurance stating:

- Name of the applicant or contractor
- The location
- For construction work in the road reserve
- The intended period of the work
- Cover should be not less than \$20 million for all State Road locations
- Cover should be not less than \$10 million for all Regional and Local Road

Removal of Rubbish: Details of collection and removal of rubbish from the site.

Site Diagram: A diagram to show the location, size of tables, displays or the like, space for pedestrians, access to properties and impacts on parking and traffic.

Concurrence from Adjacent Businesses: For events or activities involving fund raising on footpaths in front of active business premises, the concurrence of the adjacent business owners / operators is required to be provided. Evidence in writing of consultation.