



POLICY DOCUMENT

9.63.23

Policy Name	FUNDRAISING ACTIVITY ON LOCAL GOVERNMENT LAND AND ROADS
Policy No	9.63.23
Reviewed By	Narelle Biddell Administration Team Leader
CEO Authorisation	Rob Donaldson CEO
Review Details	Date Adopted: 6 July 2015 Date Reviewed: 15 May 2015 Next Review Date: <i>ELECTION 2018</i>

1. POLICY

Council will not permit any fundraising activity by Direct Marketing Organisations or Commission Based Fundraising Organisations on Local Government Land or roads.

Permits for fundraising activity conducted on Local Government Land or roads will be restricted to organisations who are based on Eyre Peninsula or provide a direct benefit to the Eyre Peninsula community.

2. OBJECTIVES

The objectives of this policy are to:

- 2.1. reduce the impact of an identified nuisance upon the community, (in response to complaints by members of the community);
- 2.2. promote the interests of charitable organisations within the Council's area (by ensuring that fundraising proceeds are retained in, or provide a direct benefit to, local communities); and
- 2.3. generally, promote the good rule and governance of the Council's area.

3. INTERPRETATION

Commission Based Fundraising Organisation – an organisation engaged by a business or charity to solicit funds, (for example by way of raffle ticket sales, pledges, donations or direct debits from accounts) in return for a portion of the funds raised or any other benefit.

Direct Marketing Organisation – an organisation engaged by a business or charity to solicit information from, or distribute marketing material to, potential customers or donors in return for payment or any other benefit.

Local Government Land – all land owned by the Council or under the Council's care, control and management (except roads).

4. **ENFORCEMENT**

4.1. ***Applicable By-Laws***

This policy is enforceable by means of Council's Local Government Land By-Law 2011 No 4 clauses 9.5, 9.12, 9.13 and 9.14 and Roads By-Law 2011 No 3 clause 7.7.

4.2. ***Direction***

Any person who, in the opinion of an authorised person, is committing or has committed a breach of this policy must immediately comply with a direction of an authorised person to leave that part of Local Government Land or road.

4.3. ***Orders***

If that person fails to comply with the direction of an authorised person, Council will reserve its rights to enforce any further breaches by way of issuing an expiation and/or prosecution where appropriate, taking into account the circumstances of the offender and the nature of the offence.

5. **REVIEW**

This policy shall be reviewed by the City of Port Lincoln within twelve months after the conclusion of each periodic election or on significant change to legislation or aspects included within this policy.

6. **REFERENCES**

Permits and Penalties By-Law 2011 No 1

City of Port Lincoln Roads By-Law 2011 No 3

City of Port Lincoln Local Government Land By-Law 2011 No 4