



ROADSIDE VENDING

What is roadside vending?

Council regulates roadside vendors to ensure these activities are carried out in a safe manner for road users and pedestrians. This activity means the commercial supply of goods or services on a road.

Roadside vending can involve travelling from place to place on a road and the waving down of the person operating the roadside vending by a customer (mobile roadside vending) or the activity being established in one place (stationary roadside vending).

- **Mobile roadside vending:** where an operator trades goods or services (including food or drink) from a vehicle, travelling from place to place and is waved down by the customer. Example: a mobile ice-cream van attracting customers by amplifying music while driving.
- **Stationary roadside vending:** where an operator trades goods or services (including food or drink) from a vehicle or stall at one specified site. Example: a roadside stall selling fruit and vegetables.

Note: No vending is permitted on Council's parks or reserves unless prior approval from Council. This approval does not apply to footpath dining activities.

General requirements

To trade as a roadside vendor an approval must be obtained from Council to ensure the activity is carried out in accordance with the Subordinate Local Law No.1 Schedule 8 Commercial Use of Local Government Controlled Areas and Roads and Queensland Government's guideline – *Roadside Vending on State Controlled Roads*.

The application process can take up to 10 days from date of submission to the final approval, should there be no further information required.

Note: roadside vendors are not permitted to trade within 500m of a competitive business.

Trading on private property

Information relating to approvals to trade on private property or private land can be obtained by contacting Council's Administration Office and asking for Planning and Development advice.

Trading on a State-controlled Road

Section 50 of the *Transport Infrastructure Act 1994* requires that anyone wanting to conduct roadside vending on SCRs must apply for a permit. Approvals will be subject to conditions set by the relevant regional offices.

Trading on a Council Controlled Road

Vendors must also comply with Council's Subordinate Local Law No.1 schedule 8 Commercial Use of Local Government Controlled Areas and Roads

Roadside Vending Conditions

Vendors must demonstrate compliance with the following conditions of their approval:

1. Ensure the vehicle or stall is well maintained and kept in a clean and sanitary condition at all times.
2. Ensure all other relevant approvals are obtained prior to the commencement of the roadside vending activity, e.g. hold a Food Licence to sell manufactured food.
3. Not be located in a high-volume traffic road.
4. Not be located where the posted speed limit is greater than 60km/h or higher.



5. Not be located in front of driveways or entrances to properties.
6. Advertising must not impede traffic and/or pedestrian access, or visibility of travelling public.
7. Advertising must be free standing, placed so as to not cause a hazard to the travelling public, and not be attached to road signage.
8. Not be located where customers are required to park in a kerbside, lane, or where parking or standing restrictions apply.
9. Select locations which allow sufficient parking next to the roadside vending site.
10. Not impede on road users' visibility.
11. Consider the vending site is safely accessible to drivers travelling from both directions.
12. Ensure safety of all road users, customers and pedestrians is maintained.
13. Not create any environmental nuisances, e.g. noise, light, dust, etc.
14. Not negatively impact on the roadside environment e.g. increase accumulation of rubbish in bins, litter, etc.

To ensure the safety of vehicular traffic and pedestrians, Council has endorsed a designated vending location at the Cloncurry Mary Kathleen Park which is located on McIlwraith Street, Cloncurry.

Roadside Vending Application Checklist

Documents to be included with application.

- Copy of the certificate of the registered business name.
- Where applying as a company a current company extract from the Australian Securities & Investment Commission (ASIC).
- Copy of the current registration certificates for vehicles that will be used.
- Copy of valid public liability insurance to the value of \$20,000,000.00, with Cloncurry Shire Council named as an interested party.
- If your proposal is in a Council reserve and/or park – a completed risk assessment is to be included.

- Written advice from owners of adjacent properties stating there is no objection to the activity being carried out.
- Written approval from the Department of Transport and Main Roads relating to businesses on any state-controlled road.
- A detailed description of your business including:
 - o Details of goods to be sold.
 - o Operating times and days.
 - o Details of waste management (food scraps, trade waste, etc.)
 - o Details of signage (locations, sizes, etc.).
 - o Total seating capacity of the business (if applicable).
 - o The materials, equipment and vehicles to be used in the permitted business.
- Copy of plans which include:
 - o Site plan/map, indicating proposed location, adjoining properties, nearby roads and intersections.
 - o Floor plan, showing the setup of the business at the location
- Photographs of the set-up
- Payment of Application Fee

Application/permit fees

An application fee and annual licensing fee is applicable and is payable at time of lodgement of application form. The fee must be paid prior to any assessment of the application.

Please contact Council's Administration Centre for a cost estimate.

Further information

For further information, please contact Cloncurry Shire Council:

- Phone: (07) 4742 4100
- Fax: (07) 4742 1712
- Email: council@cloncurry.qld.gov.au
- Address: Cloncurry Shire Council Administration Centre, 38-46 Daintree Street, Cloncurry
- Mailing Address: PO Box 3, Cloncurry QLD 4824