

Fact Sheet: Roadside Vending

Version: 1

Review Date: 08/16

Cloncurry Shire Council

Phone: 4742 4100

Email: council@cloncurry.qld.gov.au

Mail to: PO Box 3

Web: www.cloncurry.qld.gov.au

Administration Office: 38-46 Daintree Street

Council Administration Office opening hours: Monday to Friday 8:30am – 5:00pm



What is roadside vending?

There are two types of 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 waived 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. This activity does not include footpath dining.

Example: a stall selling fruit and vegetables.

Note: No vending is permitted on Council's parks or reserves unless prior approval from Council.

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.

Trading on a State-controlled road

You will be required to obtain approval from the Department of Transport and Main Roads, for roadside vending activities conducted on State-controlled roads within the shire.

Ordinary requirements

Vendors must also comply with Council's Subordinate Local Law No.1 schedule 8 Commercial Use of Local Government Controlled Areas and Roads and Department of Main Roads Corridor Permit which includes the following requirements:

- Not be located in a high volume traffic road (exceeding 5000 vehicles daily);
- Not be located where the posted speed limit is 80km/h or higher;
- Not be located in front of driveways or entrances to properties;
- Not be located where customers are required to park in a kerbside lane, or where parking or standing restrictions apply;
- Provide sufficient parking next to the roadside vending site;
- Not impede on road users visibility;
- Consider the vending site is safely accessible to drivers travelling from both opposing road directions;
- Ensure safety to all road users, customers and pedestrians is maintained ;
- Not create any environmental nuisances, such as use amplified music; and
- Not negatively impact on the roadside environment;
- 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; and
- Ensure the vehicle or stall is well maintained, and kept in a clean and sanitary condition at all times.

To this end, and 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.

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How to apply for an approval

Council encourages potential vendors to read this Factsheet as well as;

Local Law No.1 schedule 8 Commercial Use of Local Government Controlled Areas and Roads available on Council's website at: www.cloncurry.qld.gov.au; and

Guideline – Roadside Vending on State-controlled Roads on the Department of Transport and Mains Roads website at: www.tmr.qld.gov.au before deciding to submit an application for approval.

To apply for a Roadside Vending approval, you will need to submit a completed application form to Council.

Application forms can be obtained from the Council Administration Office.

Application requirements

1. A detailed plan of the proposed site showing area size, and distances to other land sites or structures (scale not less than 1:50).
2. Details of goods to be sold.
3. Operating days and times.

4. Details and condition of vehicle or stall, including vehicle registration number.
5. Proof of current public liability insurance (minimum \$10,000,000 – Council controlled roads areas; minimum \$20,000,00 – State controlled roads and areas).
6. Details of waste disposal.
7. Details of associated signage.

Application / permit fees

An application fee is applicable, and is payable at the time of lodging an application form. This fee must be paid prior to any assessment of the application.

An annual licensing fee is also payable, prior to Council issuing the final approval.

For a full list of fees please see Fees and Charges 2015-16 on Council's website:

www.cloncurry.qld.gov.au/financial-management-documents

Further information

Further information can be obtained by contacting the Council Administration Office.

Council endorsed designated vending location



 Designated Vending Site – Mary Kathleen Park, Mellwraith Street, Cloncurry.