



Blackall-Tambo

Regional Council

Mobile Vending Policy

Policy Number: Stra 19	Effective Date: 15.11.2023
Version Number: 1.0	Review Date: 14.11.2027
Policy Compiled by: Governance Coordinator	
Policy Approved by: Chief Executive Officer	

1. INTRODUCTION

Blackall-Tambo Regional Council is committed to creating clear parameters to allow the operation of Temporary Vending Businesses to provide a fair and equitable trade in a manner that does not interfere or conflict with permanent business establishments.

The Mobile Vending Policy will ensure that activities are appropriate for the area and do not cause any public safety issues or nuisance to the surrounding residents or businesses and that the amenity of the area is protected.

2. SCOPE

This policy provides Council with approved Location Rules where mobile vendors may operate with a permit. When setting the permitted location rules, Council takes into consideration the following:

- Location
- Parking
- Pedestrian/customer safety
- Impact on permanent retail and service traders
- Benefit to the community.

3. REFERENCE

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Food Act 2006*
- Food Standards Australia New Zealand (FSANZ)
- Blackall-Tambo Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2010
- Blackall-Tambo Regional Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads 2010

4. APPLICATION

This policy applies to all Mobile Vendors in the Blackall-Tambo Regional Council area.

Mobile vending must comply with:

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- Federal and state relevant legislation
- Council local laws
- Mobile Vendor Guidelines and Location Rules
- Permit Conditions.

4.1. Permit Provisions

- 4.1.1. The Mobile Vending Permit Holder must agree to comply with the conditions imposed by Council. If a breach of a permit condition is identified, Council can modify or revoke the Mobile Vending Permit.
- 4.1.2. A current copy of the Permit is to be carried at all times and must be produced immediately upon request by an Authorised Officer or other enforcement agency.
- 4.1.3. The Permit Holder must take responsibility for:
- 4.1.3.1. The care, appearance, maintenance and operation of the vending activity vicinity; and
 - 4.1.3.2. Ensure they abide to all legislative requirements relating to the vending activity.
- 4.1.4. Hold and be able to produce a current public liability insurance certificate as outlined in the Mobile Vending Permit conditions.
- 4.1.5. Renewing permits is the responsibility of the Vendor.
- 4.1.6. Permits are not transferable in the event a business changes ownership.
- 4.1.7. Mobile vendors are permitted to stay at the Location for a maximum of 72 hours.

4.2. Mobile Vending Operations

- 4.2.1. Operations of a Temporary Vending Business must not adversely affect any permanent retail and service traders or the amenity of the area.
- 4.2.2. No fixed infrastructure, tables, chairs or signage or amplified sound are permitted.
- 4.2.3. Advertising must be fixed to the vendor vehicle and not encroach on the public realm. One (1) A Frame sign is also permitted to advertise the business within a maximum of five (5) metres from the vehicle.
- 4.2.4. Exclusive use of an area is not permitted and areas are not able to be reserved.
- 4.2.5. Areas where vending operations are undertaken must be maintained at an appropriate level of cleanliness.
- 4.2.6. Wastewater associated with the activities of Vendors must be contained within the vendor vehicle.
- 4.2.7. The Vendor is responsible for providing a rubbish bin for customers and the bin is to be removed from the area by the Vendor and disposed of appropriately.

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- 4.2.8. In the event that the location has been left in a state requiring Council to undertake cleaning or remediating the area, the Council will seek reimbursement from the Vendor for all costs incurred.
- 4.2.9. Vendors are not permitted to park on Council owned reserves unless the reserve is included as a permitted vending area as outlined in the Mobile Vending Guidelines.
- 4.2.10. Use of utilities (e.g., electricity, water etc.) is not permitted for approved vendors. All mobile vendors must be entirely self-sufficient.

4.3. Safety

- 4.3.1. Mobile vendors must comply with all legislative requirements relating to business operations, Work Health and Safety and Fair Work employment conditions and any other relevant requirements.
- 4.3.2. Mobile food vendors must comply with all health and safety aspects as contained within the Food Act 2006 and Food Standards Australia New Zealand. All mobile food vendors will be subject to an inspection from the Environmental Health Officer.
- 4.3.3. Safety of the public must be the primary consideration. Mobile vendors must not compromise the safety of pedestrians or any other users of the Council controlled land.

4.4. Complaints

- 4.4.1. Complaints related to a Temporary Vending Business must be made in writing to Council. All complaints will be investigated in accordance with Council’s General Complaints (Administrative Actions) Procedure.
- 4.4.2. If Council does not resolve where an existing permanent business or Mobile Vendor is directly or adversely affected by the locations, then the complainant may apply to the Queensland Ombudsman for a review of the Location Rules or other matter.

5. CANCELLATION

A Vendor Permit may be cancelled or amended by Council if:

- 5.1. The Permit Holder/s fails to comply with the permit conditions;
- 5.2. The permit fee has not been paid;
- 5.3. There are changed conditions affecting the vending area, such as increased risk to health and safety or a Food Business Licences lapses or is cancelled;
- 5.4. The vending area requires work to be undertaken, such as upgrades or refurbishments;
- 5.5. Weather/ground conditions will result in damage to the area or prove unsafe for the user;
- 5.6. Any other reason has been deemed by the Council in its absolute discretion to be of significant importance in the best interest of the Council and/or the community.

6. POLICY REVIEW

This policy is to be reviewed as determined by the Chief Executive Officer.

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Notwithstanding the above, this policy is to be review at intervals of no more than four (4) years.

7. VERSION CONTROL

Version One	New policy
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RECORDS

When completed and approved the original, signed hard copy of the policy is filed in the Master File.

Electronic copies are saved in the appropriately labelled folder in Magiq.



Blackall-Tambo Regional Council

MOBILE VENDOR LOCATION RULES

Tambo – Western Sports Complex, Arthur Street

No limit on mobile vendors, space permittance.

Community events have priority at all times.



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Blackall – 140-144 Shamrock Street, Blackall
No limit on mobile vendors, space permittance.



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