

## Stationary and Mobile Roadside Vending Guideline

**Local Law No. 1 (Administration) 2022**

**Local Law No.4 (Local Government Controlled Areas & Roads) 2022**

### Statement

Council supports economic development within the region through vibrant CBD areas and promotion of local fixed businesses. It is recognised that there is opportunity to potentially provide for stationary and mobile roadside vending where it provides a positive benefit for the community and does not adversely affect the safety, utility or amenity of the area or environment.

Council aims to limit the impact of stationary and mobile roadside vending on the viability of commercial fixed business areas.

This guideline acts as 'Best Practice Management' as defined under *Local Law No. 1 (Administration) 2022*.

### Purpose

This guideline has been developed to assist applicants in making an application for either:

- A. A stationary vendors permit and licence to occupy.
- B. A mobile roadside vendors permit (formerly itinerant vending)

This guideline does not cover:

- Delivery of pre-ordered goods or services.
- Vendors at an approved event or market;
- Vendors on private commercial premises
- Selling primary produce from a property that is grown on the property.

### Definitions

The definitions of stationary and mobile roadside vending are as per Council's *Local Law No. 1 (Administration) 2022*.

### A. Stationary Vending Specifications

1. Areas identified for potential stationary vending sites are identified in Council's *Local Law No. 4 (Council Controlled Areas and Roads) 2022*. However, permits are only granted on the following basis:
  - A 'Licence to Occupy' is executed for use of the site; and
  - The stationary vending location identified under *Local Law No. 4 (Council Controlled Areas and Roads) 2022* is approved for use by Council.
2. Commercial activities on Council controlled area must not be similar or the same as any fixed business within 400m.
3. Nature of goods considered under this guideline for stationary vending includes only small goods and ready to eat food. Examples include:

[www.cassowarycoast.qld.gov.au](http://www.cassowarycoast.qld.gov.au)

- Fruit and vegetables
- Plants or flowers
- Drinks including tea, coffee and smoothies that can be quickly and safely prepared
- Ready to eat pre-prepared foods such as pies, sandwiches, hot dogs, pastries, cakes.

Any goods applied for will be considered against the relevant criteria within the local law and consideration will also be given to:

- the length of time customers may have to wait for their goods; and
- the impact that this waiting period may have on the safety of customers and road users.

4. Vending on private land does not fall under this guideline. Please refer any proposal to operate from private property to Council's Planning Department.

#### Application Process for Stationary Vending

Prior to a stationary vending permit application being made, an executed 'Licence to Occupy' to operate from a stationary vending site must be obtained. To request a Licence to Occupy write to Council providing the following information:

1. The site you wish to operate from
2. Details of the type of business you wish to operate and goods to be sold
3. How you propose to maintain the site to Council's standard (ie ground/road surface, cleanliness (eg waste management)
4. Preliminary traffic (vehicle and pedestrian) management proposal for the site
5. Risk management plan for the site
6. Approval from Department of Transport and Main Roads for any proposed roadside advertising (if applicable)

All requests will be assessed on their own merit and after taking into account these guidelines and any other matters the Council may consider relevant. Council has the discretion not to grant any Licence to Occupy for a site even if it is identified as a potential stationary site. Furthermore, Council may elect to call for a public tender or expressions of interest for a site.

Once an executed Licence to Occupy is in place, the operator must apply for a permit for a stationary vendor via the following application forms:

- Approved Form 1.7 Application Information (what I want); and
- Approved Form 4.8 General Activity (Stationary Vending)

Both a licence to occupy and stationary vending permit are required as a stationary vendor on Council controlled roads or areas.

## **B. Mobile Roadside Vending Specifications**

1. A permit for mobile roadside vending is only permitted outside the designated CBD areas (refer maps below).

#### Application Process for Mobile Roadside Vending

To apply for a permit for a mobile roadside vendor, you will need to complete:

- Approved Form 1.7 Application Information (what I want); and
- Approved Form 4.8 General Activity (Mobile Roadside Vending and Stationary Vending)

Forms can be found at the following link:

<http://www.cassowarycoast.qld.gov.au/council-forms>

Your proposal should be emailed to [enquiries@cassowarycoast.qld.gov.au](mailto:enquiries@cassowarycoast.qld.gov.au) or mailed to PO Box 887, Innisfail, Qld 4860. Alternatively, you can deliver your proposal to one the Council's offices.

### **Local Laws**

To view Council's local laws, refer to:

<https://www.cassowarycoast.qld.gov.au/local-laws>

### **What fees and charges will apply?**

To view Council's fees and charges for an application & permit

<https://www.cassowarycoast.qld.gov.au/fees-charges>

### **Further Information**

For further information contact Council at 1300 763 903 or email

[enquiries@cassowarycoast.qld.gov.au](mailto:enquiries@cassowarycoast.qld.gov.au)





DCDB: 05/12/2018  
 Aerial: North QLD 2018 20cm, August 2018  
 Map Produced 05/06/2019  
 Projection: MGA Z55  
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Cassowary Coast Regional Council (CCRC) 2019.

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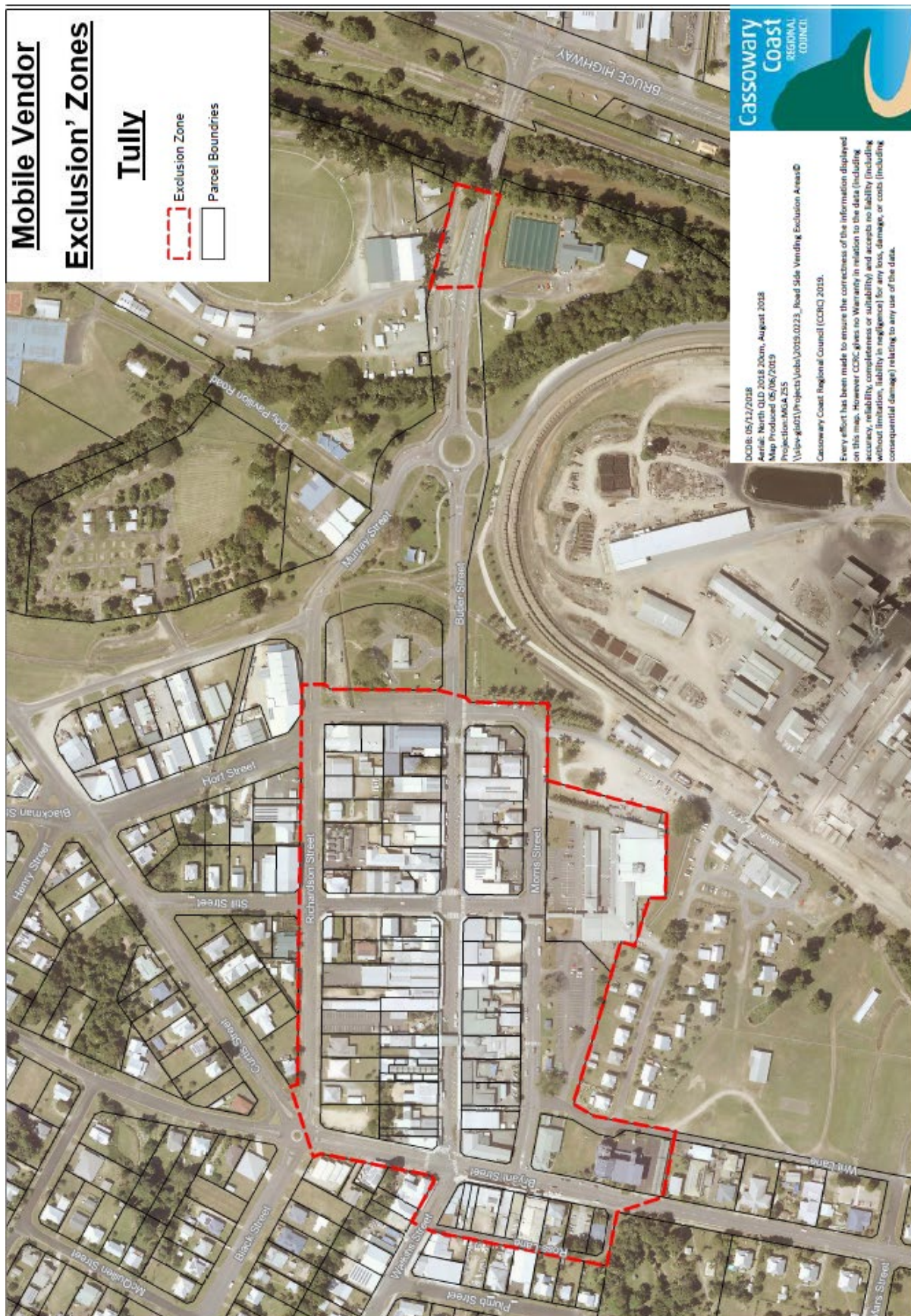
## Mobile Vendor Exclusion' Zones

### Innisfail

- Exclusion Zone
- Parcel Boundaries











DCDB: 05/12/2018  
 Aerial: North QLD 2018 20cm, August 2018  
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## **Mobile Vendor Exclusion' Zones**

### **Cardwell**

-  Exclusion Zone
-  Parcel Boundaries







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## Mobile Vendor Exclusion' Zones

### Mission Beach

- Exclusion Zone
- Parcel Boundaries

