



COUNCIL POLICY

Mobile Vendors

Policy Number:	PO049		
Strategic Plan Objective	Meet all legislative and compliance responsibilities		
Policy Owner:	Director Development Services	File Number:	5.63.1
Responsible Officer:	Senior Compliance Officer	Minute Reference:	032/2013 (13/02/2013)
Date Adopted:	13/02/2013	Next Review Date:	3 years from adoption

1. POLICY OBJECTIVES

This policy aims to ensure an appropriate balance is reached between the interests of Council, street traders, local business operators and residents of the District Council of Yorke Peninsula and to regulate the types and quantity of mobile vending that will occur.

2. SCOPE

This policy covers all applications made to Council for the use of Council land, including roads and footpaths for mobile vendors, with the exception of mobile vendors engaged as part of local events which will be managed in accordance with Council's Event Management Guidelines.

3. POLICY STATEMENT

Under the Local Government Act 1999, a person must not use Council land for a business purpose unless the use is approved by the Council.

Council will consider each application from mobile vendors on its individual merits in consideration of the wellbeing and interests of individuals and groups within the community and the benefit to people in its area or Local Government generally. The mobile vendor should not replicate the service of existing fixed business premises.

There are three types of vehicle based vendors that may operate within the Council District:

- Ice cream or ice confections
- Mobile food vending
- Non foodstuff vending.

Any mobile vendor cannot linger, loiter or occupy any fixed stand on any council land but must, except when actually serving a customer, keep moving at a walking pace of not less than 2 kilometres per hour and cannot travel the same route more than once during the period of one hour.

Applicants must provide Council with a copy of a certificate of currency for public liability insurance to the value of at least \$10,000,000.

A fee in accordance with Council's Fees and Charges Register will apply. All permits will expire on 30 June annually.

4. COMPLAINTS

Complaints relating to the mobile vendors can be made in writing to Council’s Senior Compliance Officer.

5. REVIEW

This policy will be reviewed every three years and also as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

6. TRAINING

Training needs will be reviewed as part of Council’s Training Plan and as necessary in consideration of performance reviews, changes to legislation and relevant standards, codes and guidelines.

7. RELATED COUNCIL POLICIES AND DOCUMENTS

- PO091 Risk Management Policy
- PO141 Enforcement Policy
- DCYP Fees and Charges Register
- DCYP Community Land Register
- DCYP SF074 Application for a mobile vending permit
- DCYP Event Management Guidelines

8. REFERENCES AND LEGISLATION

- Local Government Act 1999
- Development Act 1993

9. COUNCIL DELEGATION

Details of Delegation:	In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Local Government Act, 1999, were delegated by Council, on the 11 th of July 2012, to the person occupying the office of Chief Executive Officer.
Delegate:	Chief Executive Officer
Sub Delegate:	Director Development Services, Manager Development Services, Senior Compliance Officer, Ranger
Minute Number:	138/2012 (11/07/2012)

10. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Mobile Ice cream van permits	PO049	07/04/2003	08/06/2010