

Shire of Mundaring

# POLICY

## MOBILE VENDORS ON SHIRE OWNED/MANAGED LAND

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| <b>Policy Ref:</b> | <b>HS-02</b> | <b>File Code:</b> | <b>OR.OPP 1</b> |
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| <b>Adopted:</b>       | C3.04.17   | <b>Date:</b> | 11 April 2017    |
| <b>Amended:</b>       |  | <b>Date:</b> |                  |
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| <b>Statute Ref:</b>   | N/A  |              |                  |
| <b>Local Law Ref:</b> | <i>Shire of Mundaring Activities on Thoroughfares and Trading In Thoroughfares and Public Places Local Law</i> |              |                  |

### PURPOSE

To guide the assessment and determination of applications for mobile vendors seeking approval to operate on Shire land.

### 1.0 POLICY OBJECTIVES

1. To encourage the use of under-utilised public places on Shire owned and/or managed land.
2. To guide the type and location of vendors that could be considered.
3. To outline operating requirements, conditions and locations for mobile vendors operating on Shire owned/managed land.

### 2.0 BACKGROUND

The *Shire of Mundaring Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law* (Local Law) requires anyone wishing to trade in a public place to obtain a permit from Shire of Mundaring. This Local Law allows the Shire to determine an application while having regard to:

- any relevant policies of the local government;
- the desirability of the proposed activity;
- the location of the proposed activity;
- the principles set out in the Competition Principles Agreement; and
- such other matters as the local government may consider to be relevant in the circumstances of the case.

This policy has been developed to guide decisions made under the Shire's Local Law regarding mobile vendor proposals on Shire land.

### **3.0 SCOPE**

The intent of the policy is to deliver better activated spaces and social outcomes and not to protect nor preference any commercial activity over another. The commercial appropriateness of a proposal falls outside the scope of this policy.

Furthermore, this policy:

- does not apply to community events;
- does not apply to private events where Shire land/venue has been booked for exclusive use; and
- only applies on Shire land, including freehold land and Shire managed reserves.

### **4.0 KEY PRINCIPLES**

Proposals must be generally consistent with the following key location principles. Mobile vendors should be located where:

- activation of the public space is considered desirable;
- locations encourage clusters of mobile vendor activities to support community interaction;
- mobile vendor facilities are to be of a temporary nature.
- residential amenity will not be unreasonably compromised by the operations;
- the safe movement of vehicles, pedestrian and cyclists is not compromised;
- They can complement existing sporting clubs and groups.
- Litter and waste are minimised, and the use of reusable, recycled content or recyclable products is encouraged.

### **5.0 CONDITIONS**

In order to maintain the amenity of the area, approvals for the operation of a mobile vendor facility on Shire owned/managed land will attract the following conditions, and any other condition deemed appropriate:

- a) The preparation, handling, and serving of food and drinks are to be conducted in accordance with the requirements of the *Food Act 2008* and associated regulations codes;
- b) Compliance with the *Environmental Protection (Noise) Regulations 1997*;
- c) Current public liability insurance of at least \$20 million;

- d) Any advertising is to be fitted to the vehicle unless additional approval is obtained from the Shire of Mundaring;
- e) Mobile vendors can only trade from the location for which they have Shire approval;
- f) Mobile vendor vehicles are to be licensed by the Department of Transport.
- g) No obstruction to pedestrian and vehicular traffic.
- h) Compliance at all times with any parking restrictions;
- i) Litter is to be cleared at all times from in and around the mobile vendor site by the operator;
- j) Appropriate rubbish and/or recycling bins are to be provided by the operator in numbers adequate to service the patrons and must be removed, along with all rubbish from site at the end of each trading day;
- k) All waste-water is to be stored within a holding tank and disposed of at an approved site;
- l) Trees and other significant streetscape elements such as benches, rubbish bins and bus shelters are must not be obstructed, covered, removed, relocated or modified;
- m) Permanent fixtures are not permitted;
- n) Any temporary fixtures (such as umbrellas, bins, stools) are to be safe to use and removed at the end of trading. The location of these fixtures must be approved by the Shire;
- o) Must provide own power supply;
- p) Not to be located within 100m from an existing business offering similar services;
- q) Mobile vendor vehicle to be removed at the end of trading each day;
- r) This approval is not valid for events at the approved location unless specifically approved by the event organiser.
- s) If a permit is issued but not utilised at least once a fortnight, the Shire reserves the right to revoke the permit in order to allow another vendor to operate. No fees will be refunded.
- t) This approval may be revoked at any time for failing to comply with the conditions of approval or if the vendor conducts themselves in an unprofessional manner. No fees will be refunded.