

Mobile food vendors operating on public roads policy

PURPOSE:

This policy has been developed to facilitate and manage the effective operation of mobile food vendors in Launceston and provide a framework for considering requests for roadside trading in the municipal area.

BACKGROUND:

There has been an increase in mobile trading activity within Launceston in recent years and this policy aims to provide an equitable and flexible approach to managing mobile vendors. The City of Launceston recognises that mobile food vendors can contribute to creating a vibrant and diverse local economy, attracting visitors and providing residents in isolated areas with local access to goods and services. It also provides the opportunity to for new businesses to grow. Council seeks to avoid anti-competitive measures that would unduly benefit one type of business over another.

Across Tasmania there are a wide variety of approaches to mobile food vendors. These range from minimal, such as food vendor registration, to significant limitations, restrictions and high fees. Council will regulate vendors to ensure that temporary business opportunities are facilitated and managed in a consistent way.

SCOPE:

This policy applies to requests for mobile food vendors to operate from on public roads, parks, car parks or other land managed by the City of Launceston.

The policy does not apply to:

- Mobile food vendors operating as part of a permitted event.
- Mobile food vendors operating from private land or land managed by other government authorities.

Mobile food vendors operating from land managed by the City of Launceston for less than 15 minutes are not required to hold a permit, but must comply with this policy and the associated guidelines where applicable.

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POLICY OBJECTIVES:

The policy aims to support a proactive and flexible approach to outdoor trading to deliver the following objectives:

- To increase the economic diversity of the Launceston economy
- To reduce uncertainty around mobile trading in Launceston
- To encourage new business and business diversification
- To provide local residents with access to a variety of products and services
- To encourage social connection within neighbourhoods
- To identify and encourage opportunities to activate underutilised areas of the city
- To ensure that mobile trading is safe for both the vendor and the broader community

PRINCIPLES:

The Council's Organisational Values apply to all activities.

DEFINITIONS:

For the purposes of this policy, the following definitions have been developed:

Mobile food vendor – refers to any business selling food, beverages and/or produce from a stationary vehicle. This includes registered vehicles (such as cars, vans or trailers) and non-registered vehicles (such as carts).

REQUIREMENTS TO OPERATE:

Vendors must:

- have the appropriate licences and permits required to operate and/or trade;
- abide by any restrictions imposed on the licenses/permits;
- have evidence of approval to operate, which is issued under the *Food Act 2003 (Tas)*; and
- abide by the Mobile Food Vendors Guidelines and Specifications.

FEES:

Fees are set annually by a decision of Council. Permits will not be issued

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unless the applicable permit fee/s is paid.

APPLICATION PROCESS:

- All permit applications must be submitted via the online application form on the City of Launceston website for assessment.
- Permits will be processed in order of receipt.
- Food business vendors must submit with their application evidence of their approval to operate under the *Food Act 2003*.
- Permit holders will be required to submit a new application prior to the expiry of the current permit.

LOCATIONS:

To provide ease of service, Council has determined a number of pre-approved locations throughout the municipality that mobile vendors can operate from. These locations were selected based on their suitability from a road safety and convenience perspective and provides scope for events and may be updated from time to time. The current list and site plans of these locations is list under Appendix A in the *Mobile Food Vendors Guidelines*. Locations can be booked via Customer Service or on the website.

PERMIT PROVISION:

Permits are reviewed annually to ensure equity and accessibility for mobile food vendors. Any permit granted to mobile food vendors to operate in a public place does not guarantee availability or exclusivity of a particular location.

Although not governed by this policy, all mobile food vendors operating from positions on public roads and in parks, car parks or other land managed by the City of Launceston are to ensure:

- they are legally parked at all times;
- they have approval to operate under the *Food Act 2003* if selling food from a vehicle; and
- they have approval to erect any signs or furniture associated with their business.

COMPLIANCE:

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The operator is responsible to make good any damage caused to Council assets or infrastructure, to the satisfaction of General Manager Infrastructure and Assets, in connection with their mobile vending activity.

Where Council is required to undertake extra cleaning, rubbish removal, maintenance or replacement as a direct correlation to the vending activity, the mobile food vendor may be required to reimburse Council for these costs.

Council reserves the right to:

- alter, add to or remove any of the permit requirements at any time, which will be communicated to the operator as soon as possible; and
- suspend or cancel a mobile food vendor permit at any time if the trading restrictions or conditions of operation are not followed, or if the trade contravenes any regulatory requirement or condition of the permit.

RELATED POLICIES & PROCEDURES:

Mobile Food Vendor Guidelines and Specifications

On Street Dining: Guidelines & Specifications (18-HLPrx-002)

RELATED LEGISLATION:

Vehicle and Traffic Act 1999

Food Act 2003

Land Use Planning and Approvals Act 1993

REFERENCES:

N/A

REVIEW:

This policy will be reviewed every 5 years or more frequently, if dictated by operational demands and with Council's approval.

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DOCUMENT INFORMATION:

Reference Number:	32-Plx-005
Version:	31/10/2024
Review:	31/10/2029
Key Function:	Land Use and Development
Document Type:	Policy
Responsible Directorate:	Infrastructure Services
Approved by:	Council
Action Officer:	Manager Building Assets and Investigation
Text Search Key Words	Mobile food vendors public roads

To be Communicated To: <i>(To be identified by Action Officer or Approver)</i> (Insert ✓ in relevant row)		Department/Area only
		Directorate via Director and Managers
	✓	Specific Areas: <ul style="list-style-type: none"> • Roads & Hydraulics • Parks & Recreation • Parking & Carr Villa • Environmental Services • Planning Services • Community, Tourism & Events
		Council-wide
	✓	Council Website
		Intranet

Hard Copy Distribution	N/A
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