



Street Vending Policy

(Policy Number – K-COMPOL006)
(Policy Type – Council)

1 Aim

The aim of the Street Vending Policy is to regulate and ensure that on-street vending does not interfere with the use of footpaths by the general public and that it operates in accordance with the licencing requirements determined by the Council.

2 Policy Statement

The Council supports street vending (sales) in any urban area where there is an adequate and properly formed footpath and roadway adjacent to the premises making application in accordance with this policy.

3 Policy Detail

Purpose	Description
Method of control	<ul style="list-style-type: none">Street vending (sales) is controlled by the issue of licences from Council, to be known as 'Pavement Encroachment Licence'.A licence will specify the conditions of use as outlined in these guidelines.Council is under no obligation to issue a licence for street vending, and each licence is issued solely at the Council's discretion.A licence may be terminated if the guidelines are not complied with, following the issuing of a warning regarding non-compliance.A licence will be renewed annually on 1 July.A business which undertakes street vending (sales) on less than 10 occasions per year is exempt from this policy.
Guidelines for placement of vending equipment	<ul style="list-style-type: none">Street vending (sales) is only permitted in a strip 1 metre wide adjacent and parallel to the applicant's shopfront.A minimum footway width of 2 metres for Main Street, Sheffield (between Duff Drive and Henry Street) and Foster Street, Railton (between Crocker Street and Esplanade, shall be maintained at all times.For all other streets the minimum footway width must be 1.5 metres.No encroachment is allowed beyond the side boundaries of any property.



Purpose	Description
	<ul style="list-style-type: none"> No vending is allowed within 1 metre of any street furniture, street sign, or street tree. The licence holder is responsible for maintaining the required clearances at all times Where clearances specified cannot be achieved, Council may allow street vending (sales) if the applicant can demonstrate to Council's satisfaction that it will not cause any danger or obstruction for footpath users.
Guidelines for vending equipment and merchandise	<ul style="list-style-type: none"> Vending equipment is to be of good quality in keeping with the surrounding streetscape. Equipment also needs to be adequately constructed and secured, to the satisfaction of Council. Merchandise displayed by the licence holder is to be consistent with the type and quality of goods displayed in the licence holder's premises. All merchandise is to be properly contained on or within the vending equipment.
Indemnity	<ul style="list-style-type: none"> A Pavement Encroachment Licencee is to hold a public and products liability insurance cover extending over the area designated for street vending. The cover is to provide a "principals indemnity extension" to the Council with a minimum cover of \$20 million. A certificate of insurance must be provided which covers the term of the licence proposed and must not be cancelled during the duration of the licence.
Operational requirements	<ul style="list-style-type: none"> All equipment and merchandise is to be removed from the pavement at the end of each day's trading by the licence holder. The licence holder must maintain all street vending equipment in good condition and comply with all reasonable requirements of Council authorised officers. The licence holder must maintain all areas adjacent to and including areas where the encroachment is located in a clean and tidy manner.
Rental	<ul style="list-style-type: none"> An annual Pavement Encroachment Licence fee will apply. The licence fee will be reviewed annually by Council. Failure to pay the licence fee will result in the licence being rescinded.



Purpose	Description
Application process	<ol style="list-style-type: none"> <li data-bbox="539 271 1417 405">1 An applicant is required to submit a written application together with a plan to a suitable scale showing the size, number, colour and location of vending equipment proposed, including photographs or other illustrations. <li data-bbox="539 421 1417 622">2 Following receipt of all required information, a decision on whether a licence will be issued will be made within fourteen (14) days. In the event of approval the applicant will have to meet all the requirements of the licence before commencement of street vending. When an application is refused Council will provide grounds for refusal. <li data-bbox="539 638 1417 745">3 In the event of an application being refused the applicant has the right to appeal to the General Manager for a review of the decision.

4 Associated Documents and References

4.1 Other Legislation Reference

Local Government Highways Act 1982

Traffic Act 1925

Vehicle and Traffic Act 1999

4.2 Strategic Plan Reference

Area	2	Community and Economic Development
Program	2.1	Business Development
Objective	2.1	To identify, promote and support economic development opportunities in the Kentish Council area
Strategy	2.1.1	Actively promote the municipality as an ideal location to conduct business and commerce

APPROVED BY COUNCIL: 23 January 2024

Minute: 12.1

EFFECTIVE DATE: 23 January 2024

ADMINISTERED BY: Manager Infrastructure & Assets

This policy will be reviewed periodically to ensure its relevance in terms of community needs and expectations and Council goals, targets, budget and statutory requirements.