



Itinerant vending application

Postal Address
PO Box 159
Caboolture QLD 4510

Customer Response Department
Ph: 07 3205 0555

Internet
www.moretonbay.qld.gov.au
mbrc@moretonbay.qld.gov.au

Fees listed are applicable 1 July 2020 – 30 June 2021

ABN: 92 967 232 136

Applicant details:

- If applicant is an individual - complete Section A If applicant is a company - complete Section B
 If application is an Incorporated Association - complete Section B

Section A - Individual application

First name: Surname:
Address (not a PO Box):
ABN (if applicable):
Postal address:
Email address:
Home number: Mobile phone: Work phone:

Section B - Company or Incorporated Association application

Legal name:
ABN: ACN:
Email address:
Address (not a PO Box):
Companies - registered address
Incorporated associations - nominated address
as registered with ASIC
Postal address:
Contact person name:
Business number: Mobile phone: Work phone:
Email address:

Itinerant vending information (note one vehicle per application):

Business/trading name:
Business phone number:
Make of vehicle: Registration number:
Body of vehicle: Colour of vehicle:
Type of goods to be sold from the vehicle:
Proposed operating days:

Supporting information required to be submitted with this application:

- Application fee of \$400.00
- A copy of a current food business licence if food is to be offered for sale from the vehicle
- A copy of the advice in writing from the applicable State Government agency that it agrees to the proposal if the vehicle is to operate on a State-controlled road
- A copy of the registration certificate of any vehicle/s used in the approved business
- Evidence of a current public liability insurance policy to the value of \$20,000,000 together with the attached indemnity in council's favour executed by the applicant
- Photograph/s of the vehicle/s to be used

Customer summary:

I acknowledge the information provided in this application is, to my knowledge not false or misleading. I understand that an annual fee is applicable to this licence.

Signature: Date:

Office use only

CSO: _____ Licence number: _____

Receipt number: _____ Amount: _____ Date: _____

Privacy statement

Moreton Bay Regional Council is collecting your personal information for the purpose of assessing your application for itinerant vending. Council will use your personal information to update council's customer information records and to contact you about other functions and services of council.

Payment options:

In person – Present this form at any of the Moreton Bay Regional Council Customer Service Centres:

Caboolture: 2 Hasking Street, Caboolture | **Strathpine:** 220 Gympie Road, Strathpine | **Redcliffe:** Irene Street, Redcliffe

By mail – **PO Box 159, CABOOLTURE QLD 4510.**

Please make all cheques/money orders payable to Moreton Bay Regional Council.

Indemnity – for approvals granted under a Moreton Bay Regional Council Local Law:

This form must be completed and submitted with your application.

In consideration of Moreton Bay Regional Council (“council”), giving approval for:

(Name of activity to which the approval relates) (“the Activity”)

At;

(Address/area where the activity is to be undertaken)

I/We;

(Applicant)

1. Agree to indemnify council and keep it indemnified against any claim, demand, action, suit or proceeding that may be made or brought against council, its employees, contractors and elected members for personal injury to or death of any person or loss of or damage to any property caused by, arising out of or as a consequence of the Activity;
2. Acknowledge that council has not made any claim, statement or inference with regard to the suitability of the facility or land for the Activity and I/we have satisfied my/ourselves in this regard.

Name of applicant:

Signature: Date:

Name of applicant:

Signature: Date:

Privacy statement

Moreton Bay Regional Council is collecting the personal information contained within this indemnity for the purpose of indemnifying council for approvals granted under a Moreton Bay Regional Council Local Law. Council will use your personal information to update council’s customer information records and to contact you about other functions and services of council.

All approvals will be subject to the following conditions:

- The applicant must acquire and maintain public liability insurance to the value of \$20,000,000 with council noted as an interested party.
- The vehicle intended to be used as an itinerant vending vehicle:
 - does not have a gross vehicle weight in excess of 4.5 tonnes or a length in excess of 7.5 metres;
 - is a vehicle;
 - is currently registered under the *Transport Operations (Road Use Management – Vehicle Registration) Regulation 1999*;
 - is not to be used on a footpath; and
 - will be used in a manner that conforms to the *Transport Operation (Road Use Management) Act 1995*.
- The approval to operate an itinerant vending vehicle will be issued in the name of the applicant
- The amenity of the surrounding area will not be adversely affected; and will not cause a nuisance to neighbouring properties or users of the road or local government controlled area.
- The approval holder must maintain a public liability insurance policy to the value of \$20,000,000 together with an indemnity in council's favour executed by the applicant
- The approval holder must indemnify and keep indemnified the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the approval; and
- If the approval holder, their employee or their agent damages the road, or any public infrastructure within the road or local government controlled area, it must:
 - take immediate steps to make and maintain the area in a safe condition until all necessary repairs are effected; and
 - report all damage to the local government; and
 - provide payment to the local government to have all damage rectified.
- If food is to be offered for sale from a vehicle, the operator may require a licence under the *Food Act 2006* from the local government before the operator uses the vehicle as an itinerant vending vehicle; the licence must be kept current while the vehicle is being used for that purpose; and
- A vehicle must not be used as an itinerant vending vehicle on a State-controlled road without the prior written permission of the Department of Main Roads to use the road for that purpose
- Itinerant vending operations must not be carried out on the roads, car parks and local government controlled areas listed in the approval
- Use of a road for itinerant vending operations must be in conformity with the *Transport Operations (Road Use) Regulations 2009*; and
- The approval holder must not adversely obstruct the movement of vehicles and pedestrians
- A trailer or non-motorised vehicle must not be used in connection with a motor vehicle while it is being used as an itinerant vending vehicle
- The approval holder must dispose of any waste generated as a result of the activity (including any disposal of waste water as part of the activity) and ensure that it does not cause a danger or nuisance to neighbouring residents or users of the road or local government controlled area
- The approval holder must ensure that the activity does not have an adverse effect on the amenity of the surrounding area; and
- The approval holder must not interfere with the existing public infrastructure located in, on or over a road or within a local government controlled area
- An itinerant vendor must not vend on a road, public place or within a local government controlled area within 500m of an existing:
 - retail shop, shopping centre or another roadside vending stall selling the same or similar goods; or
 - school (between 7am and 5pm on school days); or
 - public swimming or recreational facility or ground where sport is played and the same or similar goods are sold as part of that facility; or
 - place where a fete or market is operating unless the roadside vending stall is part of the fete or market; and
- The operator of a vehicle:
 - must ensure that the vehicle is kept in motion, only stopping the vehicle for the purpose of making a sale of goods being carried on, or in the vehicle
 - must not stop the vehicle for the purpose of making a sale unless hailed by a person intending to purchase goods being carried on, or in the vehicle
 - must put the vehicle back in motion immediately after all persons at the stopping point have been served, and no other prospective customers are in attendance at the stopping point at the material time
 - must not operate the vehicle as a standing vehicle from a fixed location without the approval of the local government.
- The activities for which the approval is sought must not unduly interfere with the proper use of a road
- The operator must not cause or permit any amplified music or other noise associated with the operation of the operator's vehicle to be emitted from the vehicle so as to be a nuisance; and any such music or other noise is a nuisance if, at any time, the adjusted average noise level emitted from the vehicle exceeds the noise level 60db (A), measured at any affected place. (see *Environmental Protection (Noise) Policy, 2008*);
- Chimes, music or other amplified sound heralding the arrival or presence of a vehicle in a locality are only permitted:
 - on a business day or Saturday between the hours of 7.00 am and 7.00 pm
 - on any other day between 8.00 am and 7.00 pm
- Flammable liquids, poisons or other dangerous goods must not be carried in a vehicle, other than fuel used for the vehicle's normal operation
- Compliance with all other traffic safety measures deemed necessary by the local government or the state government.