

STREET STALL POLICY

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Responsible Officer:	Executive Manager Administration & Community Services
Department:	Community & Corporate Services

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1. BACKGROUND

This policy sets out the eligibility criteria for community organisations and businesses applying for a street stall permit and the conditions all permitted stallholders must abide by when conducting a stall or busking in the regions town centres.

Council recognises that street stalls can be a useful tool for community groups to raise awareness of their initiatives and undertake fundraising events. To ensure that Council is consistent in its provision of Street Stall Permits it must ensure that all permit holders operate appropriately and meet the requirements under the *Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government controlled Areas and Roads) 2011*.

DEFINITIONS

Community Organisation an entity that carries on activities for a public purpose; or another entity whose primary object is not directed at making a profit.

Busk To play music or perform entertainment in a public place, usually while soliciting money.

Charitable purpose means a purpose which is exclusively charitable according to the law (other than statute law) of Queensland.

Private Business / Individual the activity of making, buying, or selling goods or providing services in exchange for money.

2. POLICY STATEMENT

Types of Applicants

Not for profit organisations:

- Local Community Organisations
- Non local Organisations

Profit oriented applicants:

- Buskers
- Businesses
- Fundraising Agents

Assessment Criteria

- 2.1. Requests for Street Stall Permits will only be accepted if a completed application is received. **Note:** This includes the Declaration by the "Shop Owner/Manager of the Proposed Street Stall Location".
- 2.2. Applications must be received no later than seven (7) working days prior to the proposed first date.
- 2.3. Approval will only be provided for fixed location permits. Roaming / walking permits will not be approved.
- 2.4. The maximum number of sites that will be approved per applicant per day is two (2).
- 2.5. Council reserves the right to restrict the number of stallholder permits / sites per day.
- 2.6. A copy of the organisation's or individual's public liability insurance certificate of currency must be sighted by Council and be current for the duration of the activity. The insurance policy must provide indemnity in an amount not less than \$5,000,000.

The following are exempt from the requirement to provide a copy of a certificate of currency for public liability insurance:

- Those making application to undertake busking.
- 2.7. Council requires written authorisation from the charity confirming that the Fundraising Agent is conducting the activity on their behalf.
 - 2.8. Fundraising Agents conducting activities on behalf of charitable organisations will be limited to four (4) permits per year. *Note: one visit for three consecutive days will be considered a single permit.*
 - 2.9. If it is considered that an application received from a private business / individual will compete against a local business the application will be refused.
 - 2.10. Applications received from private businesses / individuals, who are not competing against local businesses, must be accompanied by the payment of the appropriate Fees and Charges.

Conditions of Approval

- 2.11. A clear, unobstructed pedestrian corridor of 1.5m is to be provided and maintained on the footpath between the street stall and adjacent car parks; however, a larger distance may be required where pedestrian traffic density is assessed by Council as requiring an increased footway.
- 2.12. Advertising devices shall not be placed on the footpath.
- 2.13. All fixtures, fittings and devices placed on the footpath (1 table and 2 chairs maximum) shall be of sound construction and design, aesthetically acceptable to Council and maintained in a proper state of repair.
- 2.14. A person who conducts a street stall shall not accost passers-by to encourage the purchase of their goods or services.
- 2.15. The footpath area shall be kept at all times in a clean, tidy and orderly condition.
- 2.16. If the operation of the street stall involves sale of food, you may need to apply for a temporary food license at least 5 days prior to the event (See table below). Food for sale at a street stall shall be prepared, manufactured, packed and labelled in

accordance with the provisions of the *Food Act 2006* and the *Australia New Zealand Food Standards Code* and any relevant Council Policy, prior to being offered for sale at the stall.

- 2.17. If the conduct of the street stall involves a sausage sizzle, suitable precautions need to be implemented to protect the public from personal injury such as burns.
- 2.18. Council will provide approval for a street stall permit in specific locations and times as deemed appropriate.
- 2.19. The stall holder is required to hold a hard copy of the permit in their possession for the duration of the activity
- 2.20. Parking spaces will not be provided as part of an approved permit.
- 2.21. Bookings cannot be made for more than three (3) consecutive day's*, each request will be considered on its merits.
*In the case of busking, the three (3) days do not have to be consecutive.
- 2.22. The organiser is responsible for ensuring that any money collection undertaken for charitable purposes is in full compliance with the requirements of the Office of Fair Trading and all associated legislation.
- 2.23. Council reserves the right to cancel or amend the Permit and / or conditions at any time.
- 2.24. The Permit is subject to the provisions of the Council's Local Laws and is only issued in respect of the approved dates and locations.

Cancellation of Permit

- 2.25. Should Council receive any complaints from businesses or members of the public regarding the operation of the stall, including impeding traffic or the harassment of the general public; or should the stallholder fail to comply with any of the conditions outlined above Council reserves the right to immediately revoke the permit.

In the event that a permit is revoked, Council reserves the right to implement a suspension period and may refuse to issue future permits.

Fees & Charges

- Local Community Organisations are not required to pay a fee for a street stall permit application.
- Applications received from an organisation or individual whose purpose is profit making is required to pay the applicable fee when lodging the application.

When is a Food Licence Required

No Licence Required	A Licence is Required
Selling whole fruit only	Cutting fruit or vegetables
Handling of packaged food only	Fruit or vegetable juice processed at the place of sale
Selling unpackaged non-potentially hazardous croissants, friands, doughnuts, muffins, churros, biscuits or cakes	Cakes or biscuits with dairy fillings
Selling unpackaged non potentially hazardous carob, chocolates, confectionary or muesli bars	Unpackaged food including pizza, pasta, hamburgers, kebabs, hot dogs, curry, chips, yoghurt or ice cream
Selling unpackaged non potentially hazardous dried vegetable chips, corn chips, potato chips, popcorn, crackers or nuts	Manufacturing any food product (including products listed opposite) and selling at a place other than where the product is manufactured e.g. For wholesale distribution or for retail from a market stall.
Selling unpackaged non potentially hazardous pretzels, puffed rice, soy chips or toasted corn chips	Sausage Sizzle (excluding Not For Profit / Charity Groups)
Selling unpackaged non potentially hazardous meat jerky, dried or glazed fruit	

Selling unpackaged non potentially hazardous whole, crushed, puffed or toasted nuts, grains and seeds	
Selling unpackaged non potentially hazardous quinoa, spices, dried herbs, tea leaves, coffee beans, cereals or cocoa	
Selling unpackaged non potentially hazardous coconut, couscous, edible oil, flour, legumes, lentils, noodles, oats or pasta	
Selling unpackaged non potentially hazardous preparations for spreading on bread such as honey, peanut butter, hazelnut spread, vegemite, marmalade and jam	
Selling unpackaged non potentially hazardous sugar and syrups such as golden syrup, maple syrup, rice syrup, malt syrup glucose syrup and coconut syrup	
Grinding of coffee beans	
Selling drinks only (other than fruit or vegetable juice processed at the place of sale), including tea, coffee, soft drinks or alcoholic drinks	
Primary produce such as seafood not sold by retail; meat and dairy produced under an accreditation granted under the Food Production (Safety) Act 2000, part 5.	
Selling ice or flavoured ice	
Sausage Sizzle (if for Not For Profit / Charity Group)	

3. PURPOSE

This policy has been developed to ensure that community organisations have a venue to fundraise in their community and buskers have the ability to perform in the town centres without impeding upon or harassing the public or local businesses.

By using this policy and the guidelines within it, Council can ensure that all applications for a permit are assessed in an open and fair manner.

4. POLICY OBJECTIVE

- 4.1. To provide corporate guidelines and criteria on the provision of permits to community organisations and individuals in accordance with Local Law No. 1.14 (undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011.
- 4.2. Support community initiatives.
- 4.3. Encourage the ongoing social, cultural, recreational, sporting and environmental development of Goondiwindi Regional Council.
- 4.4. To ensure that local businesses are not disadvantaged by the activities of street stall permit.
- 4.5. To provide guidance and standards when assessing applications for permits.
- 4.6. To facilitate a safe venue for permit holders and pedestrians.

5. REVIEW DATE

December 2025

6. Attachments

Nil