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| <b>Policy Number:</b> | HLT 2  |
| <b>Policy Type:</b>   | Health   |
| <b>Policy Name:</b>   | <b>Mobile Shop/Temporary Premises/Street Stall</b> |
| <b>Policy Owner:</b>  | Chief Executive Officer                            |

**Authority:** Local Government Act 1995  
Health (Miscellaneous Provisions) Act 1911  
Shire of Nannup  
Australia New Zealand Food Standards

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## **OBJECTIVES**

To regulate the operation of Mobile Shop/ Temporary Premises and Street Stalls to ensure that there is no disruption to local businesses and/or to pedestrian traffic.

To ensure a consistent approach to the operation of retail and wholesale premises.

## **DEFINITIONS**

### **Mobile Shop/Temporary Premises:**

Retail or wholesale premises that is movable and operates from the road reserve or local government reserve and stops sufficient time only to affect a sale. It cannot remain stationary at any time to anticipate sales.

### **Stall:**

Includes a mobile shop/temporary premises or stall that has been given local government approval to remain stationary in the Road Reserve, Reserve or private land for a period on not exceeding three days.

### **Market Day:**

The fortnightly market in Warren and Brockman Street excluding special events (i.e Nannup's Music Festival, Garden Festival)

## **POLICY**

All persons intending to establish or operate any Mobile Shop/Temporary Premises, Street Stalls, either in conjunction with or independent of any Market Day, are required to make application to the local government for approval. This is additional to any other local government approvals for events and relates to the operation of the stalls and temporary premises.

Application is to be made on the application form "Conditions for approval for operating street stalls/temporary premises". The person making the application is responsible and accountable for the operation of the stall/ temporary premises.

The local government has approved “Market Days” and on the Road Reserve in Warren Road and Brockman Street under the following conditions:

1. A nominated person is to be responsible for the “Market Day”.
2. The area is to be left free of litter, stalls, signs and equipment at the end of the trading day.
3. Recipients of donations from the stalls shall be bonafide charities, sporting associations or community groups.
4. Stall holders shall not locate outside business premises unless consent of that business has been received.
5. No stall shall obstruct the passage of pedestrian traffic, which may lead to pedestrians being forced to use the road instead of the footpath.
6. All stall holders are liable for the health and safety of the public and shall ensure that there are no “hazards” caused and are liable should their stall contribute to any incident.
7. Markets are permitted fortnightly and to operate only between the hours of 8am and 2pm.

Should the sale of food be considered, the document “*Food Regulations 2009*” is to be provided and standard conditions are to apply:

1. General Conditions: *Stalls/Sausage Sizzles/All Pre-packaged Foodstuff from Registered Premises.*
2. General Conditions: *Temporary Food Premises.*
3. A copy of a current of their “Certificate of Registration” is to be provided from the local government that they have notified that they are selling food in accordance with the Food Act 2008 and Food Regulations 2009.

Before any approval is given the applicant is to:

1. Sight and sign the Shire of Nannup’s Standard Occupational Health and Safety Rules.
2. Provide a copy of their public liability insurance.

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| Related Policies:                | LPP 14 (Adopted 22/4/2010 Revoked 25/6/2015)   |
| Related Procedures/<br>Documents | <ol style="list-style-type: none"> <li>1. Application for a Mobile Shop/Temporary Premises/Street Stall<br/><a href="#">HLT 2 Attachment 1.docx</a></li> <li>2. Food Regulations 2009<br/><a href="#">HLT 2 Attachment 2.docx</a></li> <li>3. Nannup’s Standard Occupational Health and Safety Rules.<br/><a href="#">HLT 2 Attachment 3.docx</a></li> </ol> |

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|                   | <p>4. General Conditions: Stalls/Sausage Sizzles/All Pre-packaged Foodstuff from Registered Premises.<br/> <a href="#">HLT 2 Attachment 4.docx</a></p> <p>5. General Conditions: Mobile Shops/Temporary Premises/Street Stalls.<br/> <a href="#">HLT 2 Attachment 5.docx</a></p> |
| Delegation Level: | CEO, Executive Officer, Development Services Officer   |
| Adopted:          | OM 25 June 2015 #9218  |
| Reviewed:         | <a href="#">OM 25 January 2018</a>   |