



G.123 MOBILE FOOD VENDING POLICY

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1 OBJECTIVE

This policy ensures that mobile food vans have designated spaces within their communities for selling food.

Quilpie Shire Council acknowledges the important role local mobile food vans play in driving economic growth and enriching the community with a diverse range of dining options. The policy outlines the criteria for obtaining a market stall/ mobile food van permit and the conditions that all stallholders/ business owners must abide by when conducting a stall, selling food from a mobile food van or busking in the Shire's towns.

By adhering to this policy and the guidelines, Council can evaluate and fairly assess permit applications, ensuring that in its provision of Mobile Food Vending Permits, all holders comply with the requirements of Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2018.

This policy aims to regulate the conduct and placement of Mobile Food Vans to prevent obstruction and disturbance of within the community. It ensures clear pedestrian pathways and prohibits unwanted solicitation by stallholders, thereby mitigating potential disturbance and obstruction. To manage liability risks, all Mobile Food Van operators must affirm and maintain adequate public liability insurance and licences in order to hold a valid permit. Clear guidelines for stall setups enforce safe operations and compliance with local laws and food standards, mitigating public health risks. This policy prioritises community safety, fairness, and regulatory adherence, aiming to minimize associated risks during these events.

2 SCOPE

This policy applies to all businesses operating mobile food vans within the Quilpie Shire.

3 STATEMENT

3.1 ASSESSMENT CRITERIA

3.1.1. Requests for Mobile Food Vending Permits will only be accepted if a completed application is received.

3.1.2. Applications must be submitted either in person at the front counter of the Quilpie Shire Council Admin Building, located at 50 Brolga Street, Quilpie QLD 4480, or via email to Council, at least seven (7) working days prior to the proposed start date.

3.1.3. Approval of Mobile Food Vending Permits will only be provided for fixed location. Roaming / walking permits will not be approved.

3.1.4. Each applicant may receive a maximum of two (2) approved sites per day if applicable.

3.1.5. Council reserves the right to restrict the number of permits / sites per day.

3.1.6. A copy of the business or individual's public liability insurance certificate of currency must be sighted by Council and be current for the period of the activity. The insurance policy must provide indemnity in an amount not less than \$10,000,000.

3.1.7. If an application received from a private business / individual competes against a local business, it will be rejected.

3.1.8 In the instance that the applicant wishes to also trade at a local community event including but not limited to Polocrosse carnivals, Junior Rugby League, Bowls carnivals, Golf, Cricket, Sporting Clays, Motorbike Gymkhana/Enduro and Horse Racing carnivals, Council will require written consent from the community organization.

3.2 CONDITIONS OF APPROVAL

3.2.1. A clear, unobstructed pedestrian corridor of 1.5m must be maintained between the mobile food van and adjacent car parks; however, a larger distance may be required where pedestrian traffic density is assessed by Council as requiring an increased area for pathway.

3.2.2. Advertising devices/signage shall not be placed on the footpath.

3.2.3. A person who conducts a mobile food van shall not accost or solicit passers-by to encourage the purchase of their goods or services.

3.2.4. The footpath area must always be kept within a clean and orderly condition at all times.

3.2.5. All mobile food van applicants you may need to apply for a food licence at least 7 days prior to the event (See table below). Food for sale 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.

3.2.6. Council will specify approval for a mobile food vending permit within specific locations.

3.2.7. Trading times for all specified locations will be 6am – 8pm.

3.2.8. Permit holders must promptly remove trade waste to an approved disposal point, as soon as practicable, ensuring that removal takes place at the end of the trading day.

3.2.9. The permit holder is required to hold a hard copy of the permit in their possession for the duration of the activity.

3.2.10. Parking spaces will not be provided as part of an approved permit.

3.2.11. Council reserves the right to cancel or amend the permit and / or conditions at any time.

3.2.12. The Permit is subject to the provisions of the Council's Local Laws and is only issued in respect of the approved times and locations.

3.3 CANCELLATION OF APPROVAL

3.3.1. Should Council receive any complaints from businesses or members of the public regarding the operation of the stall, including obstructing 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.

3.3.2. If a permit is revoked, Council reserves the right to employ a suspension period and may refuse to issue future permits.

3.4 FEES & CHARGES

3.4.1. Commercial businesses operating throughout the year, the fees are applicable as per Quilpie Shire Council's Register of Cost Recovery Fees & Commercial Charges.

3.5 FOOD LICENCE

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, 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	

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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 <i>Food Production (Safety) Act 2000, part 5</i> .	
Selling ice or flavoured ice	
Sausage Sizzle (if for Not for Profit / Charity Group)	

4 HUMAN RIGHTS COMPATIBILITY STATEMENT

This Policy has been assessed as compatible with the Human Rights protected under the Human Rights Act 2019.

5 DEFINITIONS

Mobile Food Vending Local Law Permit allows an individual or business to operate a mobile stall/service within a defined area, gaining permission from surrounding shop owners.

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

The Annual Food Vending Permit allows individuals or businesses to operate periodically at an authorised location. However, the permit will expire on the date when the public insurance expires.

6 RELATED POLICIES | LEGISLATION | OTHER DOCUMENTS

- *Food Act 2006*
- Local Law No.4 (Commercial Use of Local Government Controlled Areas and Roads) 2018.



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- Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2012.
- Australia / New Zealand Food Standards Code
- Attachment 1 – Site Locations
- Attachment 2 – Flow Chart
- Minimum Standards for the Operation of a Temporary Food Stall – Australian Government
- Portable Gas Bottles in Mobile Food Vending

IX #	Details

7 VERSION CONTROL

V1	23-Sep-25	Developed and distributed
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Attachment 1. – Site Locations

Quilpie Location 1.

Carpark next to Mural Park Brolga Street



Quilpie Location 2.

Footpath Bicentennial Park



*Adavale Location 1.
(In front of flagpoles)*



*Eromanga Location 1.
(Eromanga Town Hall)*



Attachment 2. Flow Chart

