

2. Notified Motion by Cr. Rogers - Mobile Roadside Vending Permit – J & K Ashton

Summary: From the Chief Executive Officer advising that notification has been received from Cr. Rogers of her intention to move a motion regarding Council's decision to refuse an application by J & K Ashton for a Mobile Roadside Vending Permit in Barcaldine.

Resolution: 2016/12/329 **Moved Cr Rogers** **Seconded Cr Chandler**
That pursuant to Local Government Regulation 2012, section 262, Resolution 2016/11/319 as follows:-

“That Council does not issue a mobile roadside vending permit to sell fruit in Barcaldine to J and K Ashton pursuant to Local Law 1 (Administration) 2011 Clause 9(1)(c).”

be repealed.

Carried
3/3

The motion was carried with the casting vote of the Mayor.

3. Notified Motion by Cr. Rogers - Mobile Roadside Vending Permit – J & V Peady (All Wild)

Summary: From the Chief Executive Officer advising that notification has been received from Cr. Rogers of her intention to move a motion regarding Council's decision to refuse an application by J & V Peady (All Wild) for a Mobile Roadside Vending Permit in Barcaldine.

Resolution: 2016/12/330 **Moved Cr Rogers** **Seconded Cr Chandler**
That pursuant to Local Government Regulation 2012, section 262, Resolution 2016/11/325 as follows:-

“That Council, in accordance with Section 9 of Local Law No. 1 (Administration) 2011:-

(a) assesses the Mobile Roadside Vending Permit application from J and V Peady, trading as All Wild, to sell frozen seafood in Barcaldine; and

(b) does not approve the application for Barcaldine.”

be repealed.

Carried
3/3

The motion was carried with the casting vote of the Mayor

4. Notified Motion by Cr. Rogers - Mobile Roadside Vending Permit – Mr. Colin Holt

Summary: From the Chief Executive Officer advising that notification has been received from Cr. Rogers of her intention to move a motion (should the resolution to repeal be successful) regarding Council's decision to refuse an application by Mr. Colin Holt for a Mobile Roadside Vending Permit in Alpha, Barcaldine, Aramac and Muttaborra.

This item was removed from the Agenda as the motion to repeal in Item 1 was unsuccessful.

5. Notified Motion by Cr. Rogers - Mobile Roadside Vending Permit – J & K Ashton

Summary: From the Chief Executive Officer advising that notification has been received from Cr. Rogers of her intention to move a motion (should the resolution to repeal be successful) regarding Council's decision to refuse an application by J & K Ashton for a Mobile Roadside Vending Permit in Barcaldine.

Resolution: 2016/12/331 **Moved Cr Rogers** **Seconded Cr Chandler**
That approval be granted for Roadside Vender J & K Ashton to trade within Barcaldine, subject to the following conditions which will mitigate competition with small local businesses:-

General Conditions of Approval

- 1. The approval will be for the use of a Council specified site at Rotary Park, Barcaldine.**
- 2. The approval will be for specified hours of operation being 7.00am to 6.00pm for one day per week from 1 November 2016 to 31 January 2017.**
- 3. The certificate of approval is to be displayed or produced for inspection when required by an authorised officer.**
- 4. The holder of the approval is to provide and maintain sufficient receptacles for refuse and thoroughly clean the area at the conclusion of business each day.**
- 5. The approval is issued for one (1) financial year. Should the applicant wish to continue carrying out the activity after twelve months, a new application should be made to Council.**
- 6. Signs for the proposed activity will be in accordance with the legal guidelines.**
- 7. The permit is issued for a particular vehicle or use for that site. A change of vehicle or use would require Council approval.**
- 8. The vendor shall only sell products from the approved vehicle and from approved benches and tables.**
- 9. The applicable fee is to be paid to Council.**

10. Where the application involves any food other than whole fruit and vegetables, the applicant is required to give evidence that the food was prepared in approved premises.
11. If the application is for a vending activity that involves food preparation in the vehicle, the applicant is required to produce copies of current certificates of Registration and Licence under the Food Hygiene Regulations 1987.
12. The public liability insurance offered with the application is to be maintained at all times.
13. Customers must only be served on the non-traffic or kerbside side of the vehicle.
14. The applicant must not operate the activity in a manner which is, or may be, a risk to road safety.
15. The applicant must keep the vehicle and surrounds in a clean, tidy and orderly condition.
16. Waste from the activity must be disposed of in a safe and sanitary manner.
17. Signage is to be placed at the approved site only and not on the footpath or road.

Carried
3/3

The motion was carried with the casting vote of the Mayor.

6. Notified Motion by Cr. Rogers - Mobile Roadside Vending Permit – J & V Peady (All Wild)

Summary: From the Chief Executive Officer advising that notification has been received from Cr. Rogers of her intention to move a motion (should the resolution to repeal be successful) regarding Council's decision to refuse an application by J & V Peady (All Wild) for a Mobile Roadside Vending Permit in Barcaldine.

Resolution: 2016/12/332 **Moved Cr Rogers** **Seconded Cr Chandler**
That approval be granted for Roadside Vender J & V Peady (All Wild) to trade within Barcaldine, subject to the following conditions which will mitigate competition with small local businesses:-

General Conditions of Approval

1. The approval will be for the use of a Council specified site at Rotary Park, Barcaldine.
2. The approval will be for specified trading hours of 7.00am to 6.00pm for one day per month with any additional days requiring a separate resolution of Council.

3. The certificate of approval is to be displayed or produced for inspection when required by an authorised officer.
4. The holder of the approval is to provide and maintain sufficient receptacles for refuse and thoroughly clean the area at the conclusion of business each day.
5. The approval is issued for one (1) financial year. Should the applicant wish to continue carrying out the activity after twelve months, a new application should be made to Council.
6. Signs for the proposed activity will be in accordance with the legal guidelines.
7. The permit is issued for a particular vehicle or use for that site. A change of vehicle or use would require Council approval.
8. The vendor shall only sell products from the approved vehicle and from approved benches and tables.
9. The applicable fee is to be paid to Council.
10. Where the application involves any food other than whole fruit and vegetables, the applicant is required to give evidence that the food was prepared in approved premises.
11. If the application is for a vending activity that involves food preparation in the vehicle, the applicant is required to produce copies of current certificates of Registration and Licence under the Food Hygiene Regulations 1987.
12. The public liability insurance offered with the application is to be maintained at all times.
13. Customers must only be served on the non-traffic or kerbside side of the vehicle.
14. The applicant must not operate the activity in a manner which is, or may be, a risk to road safety.
15. The applicant must keep the vehicle and surrounds in a clean, tidy and orderly condition.
16. Waste from the activity must be disposed of in a safe and sanitary manner.
17. Signage is to be placed at the approved site only and not on the footpath or road.

Carried
3/3

The motion was carried with the casting vote of the Mayor.

7. Mobile Roadside Vending Permit – Prawn Hauler

Summary: An application from The Prawn Hauler for a Mobile Roadside Vending Permit to sell frozen seafood in Barcaldine for Council consideration.

Resolution: 2016/12/333 **Moved Cr Rogers** **Seconded Cr Chandler**
That Council, in accordance with Section 9 of Local Law No.1 (Administration) 2011:-

(a) assesses the Mobile Roadside Vending Permit applications from Jeff and Justine Arthur, trading as The Prawn Hauler, to sell frozen seafood in Barcaldine; and

(b) approves the application subject to the following conditions:-

General Conditions of Approval

- 1. The approval will be for the use of a Council specified site at Rotary Park, Barcaldine.**
- 2. The approval will be for specified trading hours of 7.00am to 6.00pm for one day per month with any additional days requiring a separate resolution of Council.**
- 3. The certificate of approval is to be displayed or produced for inspection when required by an authorised officer.**
- 4. The holder of the approval is to provide and maintain sufficient receptacles for refuse and thoroughly clean the area at the conclusion of business each day.**
- 5. The approval is issued for one (1) financial year. Should the applicant wish to continue carrying out the activity after twelve months, a new application should be made to Council.**
- 6. Signs for the proposed activity will be in accordance with the legal guidelines.**
- 7. The permit is issued for a particular vehicle or use for that site. A change of vehicle or use would require Council approval.**
- 8. The vendor shall only sell products from the approved vehicle and from approved benches and tables.**
- 9. The applicable fee is to be paid to Council.**
- 10. Where the application involves any food other than whole fruit and vegetables, the applicant is required to give evidence that the food was prepared in approved premises.**
- 11. If the application is for a vending activity that involves food preparation in the vehicle, the applicant is required to produce copies of current certificates of Registration and Licence under the Food Hygiene Regulations 1987.**

12. The public liability insurance offered with the application is to be maintained at all times.
13. Customers must only be served on the non-traffic or kerbside side of the vehicle.
14. The applicant must not operate the activity in a manner which is, or may be, a risk to road safety.
15. The applicant must keep the vehicle and surrounds in a clean, tidy and orderly condition.
16. Waste from the activity must be disposed of in a safe and sanitary manner.
17. Signage is to be placed at the approved site only and not on the footpath or road.

Carried
3/3

The motion was carried with the casting vote of the Mayor.

8. Mobile Roadside Vending Permits – Review of Fees

Summary: *A request has been received from Jim and Viv Peady, trading as All Wild, to review the Council fees for Mobile Roadside Vending Permits.*

Resolution: **Moved Cr Dillon** **Seconded Cr Bettiens**
2016/12/334 **That Council does not change the annual licence fee for Commercial Use of Local Government Controlled Areas and Roads as adopted in the 2017 Budget.**

Carried
6/0

Moved Cr Dillon

That Standing Orders be suspended and a vote of thanks be given to the Chair.

As there was no further business, the Mayor declared the meeting closed at 9.50am.

CONFIRMED AS A TRUE AND CORRECT RECORD

MAYOR: _____

DATED: 21 December 2016
