

Policy

Vending of Food on Public Reserves

Version 1.4

Adopted by Council at its meeting on 15 September 2022

Division:
Section:
File Reference:
Historical Reference:

Planning and Regulation
Building and Environmental Health
Council Policies/Protocols/Procedures
See Version Control

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Vending of Food on Public Reserves

Policy Objective

To control the vending of food on public reserves, streets and roads to maintain the highest levels of public health, safety and convenience of persons using public reserves, streets and roads and to cause minimum financial impact to nearby retail outlets.

Definitions

Public Reserve – means a public park, any land conveyed or transferred to the council, any land dedicated as a public reserve, crown managed land that is dedicated for public recreation or public cemetery or any other land defined as Public Reserve in the *Local Government Act 1993*.

Public Streets and Roads – means any road or street which the public are entitled to use.

Locally grown produce – means produce (e.g. fruit, vegetable etc.) grown within the Tweed Shire.

Policy Background

This Policy has been developed for the community to outline the control for vending food on public reserves. Council encourages the sale of locally grown produce and will consider this with regards to this Policy.

Policy

Approval will not be given for the vending of food on Public Reserves, Public Streets and Roads within the Tweed Council area except in the following circumstances:

1. Where a specific one-off event has been approved by Council whereby the event incorporates the vending of food. The event coordinator will be responsible for the arranging the food vendors.
2. Where Council approval has been granted for conducting a Market or similar on a regular basis on public land, the food sold shall be in accordance with the development consent or approval conditions issued for that Market or similar.
3. Where a lease or licence has been granted to a community group or sporting club for use of a public reserve, food vending is permitted during the group or clubs activities as part of fundraising activities when approved by Council in accordance with lease or licence conditions.

All food vendors must comply with the “NSW Food Authority’s Guidelines for Food Businesses at Temporary Events” and any event conditions subject to event approval.

Related Legislation

Roads Act 1993, Local Government Act 1993, Environmental Planning and Assessment Act 1979 and Food Act 2003.

Compliance

The application for sale of food on public reserves, streets and roads must meet the provisions of the “NSW Food Authority’s Guidelines for Food Businesses at Temporary Events” and this Policy.

Any enforcement action taken by Council will be in accordance with Council’s Compliance Policy.

Forms

The following section relates to the application of food and drink at Council’s approved markets and events. The following forms may be applicable;

1. [Food Premises Registration](#) (markets, food vans, homebased businesses etc.)
2. [Application for Tumbulgum Farmers Market \(locally grown produce only\)](#)

In addition to the above, approved community markets and events can be contacted to seek approval to attend;

1. [Approved Community Markets](#)
2. [What’s on Tweed](#)

Review Period

This policy will be reviewed within 12 months of the election of each new Council or more frequently in the event of any legislative changes or change in circumstances.

Useful Links

[Tweed Shire Council website](#)

Version Control

Version #	Summary of changes made	Date changes made
1.0	Policy Adopted	15/12/2014
1.1	Policy reviewed	21/07/2009
1.2	Incorporated into new policy template	20/06/2013
1.3	Policy reviewed, update to Guide references and adopted forms	13/03/2021
1.4	Policy reviewed and incorporated into new policy template	15/09/2022