

006	Mobile Vendors on the Busselton Jetty	V2
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1. PURPOSE

Mobile Vendors in recreational areas and tourist attractions add further dimensions of character and vibrancy to a location. Furthermore, the prosperity achieved by the operators contributes to the overall economic success of the Region and provides a potential source of income for the City of Busselton to re-invest into publicly owned or controlled facilities, including the Busselton Jetty.

2. DEFINITIONS

For the purposes of this policy, the following definitions apply;

‘CEO’ means the Chief Executive Officer or delegated Officer of the City of Busselton;

‘Jetty’ means the Busselton Jetty

‘Commercial Site’ means a pre-determined portion of Sections 4 and 7 on the Busselton Jetty from which a Mobile Vendor is permitted to operate.

‘Mobile Food Premises’ means a business operated from a vehicle, van, stand, cart or similar device that complies with ANZFA Food Safety Standards;

‘Mobile Vendors’ means a business operator operating from a ‘Commercial Site’ and may mean a ‘Mobile Food Premises’;

‘Permit’ means a permit issued under the Busselton Jetties Local Law 2014;

‘City’ means the City of Busselton.

3. SCOPE

The policy covers the;

- a) recruitment and selection of suitable Mobile Vendors to operate from the Busselton Jetty; and
- b) criteria by which City officers will assess applications for the commercial hiring of sites.

4. POLICY CONTENT

The City of Busselton recognises the social, cultural and economic value of Mobile Vendors and has established Policy 249 (Non-exclusive Commercial use of City land) which provides a consistent framework and methodology to facilitate, control and regulate the non-exclusive commercial use of City-owned and managed land across the District.

4.1 Promotion of Jetty Vendor Opportunities

The City may publicly advertise the availability of commercial sites on the Busselton Jetty as part of an expression of interest (EoI) process. If an EoI is called for commercial sites on the Jetty, selection criteria will be set prior to advertising and included in EoI guidelines.

4.2 Selection / Approval of Jetty Vendor Sites

The City can approve an application for a permit in accordance with the City of Busselton Jetties Local Law 2014.

4.2.1 Location

Commercial sites on the Jetty will be pre-approved by the City giving due consideration to their practical location and with regard to other activities that take place on the Jetty and in consultation with the Busselton Jetty Reference Group (BJRG).

When assessing suitability of a trading location, consideration will be given to;

- a) the type and regularity of business that could operate from that location;
- b) the impact the business will have on the surrounding amenity, and
- c) the strategic implications and impact the location may have on the local economy.

Consideration will also be given to the nature of fixed businesses, specifically; preference will be given to businesses that are not of an identical nature to a nearby fixed business.

4.2.2 Term

A permit for trading on the Busselton Jetty may be granted by the City for a term of up to two (2) years. Prior to expiry of an existing permit, the site will be re-advertised seeking expressions of interest.

4.2.3 Assessment of applications

Applications for a permit may be approved by the CEO or an authorised person and will be considered, in part, according to the appropriateness of the proposed activity in relation to the location and the social, cultural and economic benefits the business may bring to the City, residents and visitors. The proposed activity should not impede Busselton Jetty Inc business operations.

As a minimum, applications for sites on the Jetty will be considered according to;

- the product being offered, bearing in mind that the sale or provision of alcohol will not be approved;
- the cart, stand or similar device used as the premises being an acceptable standard to the City of Busselton, including the dimensions and maximum weight being suitable for positioning on the Jetty;
- the incorporation of biodegradable / eco products where applicable;
- the proposed operating hours or days, and;
- the nature of adjoining commercial activities on the Jetty, specifically, preference will be given to businesses that are not of an identical nature to an existing operator.

Applications for licences to sell food and / or beverages must also comply with conditions imposed either regulatory or discretionary, by the City's Environmental Health section.

Additionally, the following decision making criteria will apply;

- a) the applicant/operator must be of good character, demonstrated by:
 - i. two character references
 - ii. a National Police Clearance Certificate;
- b) the business operation will not impede public use of the Jetty;
- c) the business operation will not have a detrimental effect on the Jetty or surrounding area; and,
- d) relevant sections of the Busselton Jetties Local Law (2014) or other Local, State and Federal laws.

The City may refuse an application on any one or more of the following grounds;

- i. the applicant is an undischarged bankrupt or is in liquidation;
- ii. the applicant has entered into any composition or arrangement with creditors;
or
- iii. a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property;

or such other grounds the City may consider to be relevant in the circumstances of the case.

Detailed guidelines will be issued in publicly advertised expression of interest documentation for food and non-food commercial operators and will be available on the City's website.

Consultation

Prior to final approval of a permit, the City will consult with Busselton Jetty Inc.

4.3 Establishment of Fees

Permit fees are set out in the City of Busselton's Annual Fees and Charges Schedule available on the City's website.

Policy Background

Policy Reference No. - 006

Owner Unit – Commercial Services

Originator – Economic and Business Development Co-ordinator

Policy approved by – Council

Date Approved – 14 June 2017

Review Frequency – As required

Related Documents – Jetties Local Law 2014; Property Local Law 2010, Activities in Thoroughfares and Public Places and Trading Local Law 2015; Policy # 249 (Non-exclusive Commercial Use of City Land 2016)

History

Council Resolution	Date	Information
C1706/127	14 June 2017	Establishment of a policy to provide for a limited number of small, mobile vendor businesses which would enhance the Busselton Jetty experience of visitors and locals Version 2