

TIMARU



DISTRICT COUNCIL

Te Kaunihera ā-Rohe
o Te Tihi o Maru



TRADING IN PUBLIC PLACES

Are you interested in setting up a mobile trading business within the Timaru District?

This guide tells you what you need to know before you begin.

ABOUT THIS GUIDE

Mobile traders help to add character and vibrancy to our District, and are welcomed by Timaru District Council.

Council regulates mobile trading activity in public places to ensure that it is appropriate and conducted safely.

Public places include areas such as roads, streets, the roadside, courts, alleys, lanes accessways and other thoroughfares.*

If you want to operate a mobile trading business in a public place, you will need to obtain a Public Trading Licence from Council - this guide provides you with important information to assist your application.



*Refer to the Timaru District Consolidated Bylaws 2018 for a full list of 'public places' as defined by the Bylaws.

APPLYING FOR A LICENCE TO TRADE IN A PUBLIC PLACE

If you're thinking about trading in a public place, you'll need to complete an application form and obtain a licence from Council before doing so. You are required to do this under the Timaru District Consolidated Bylaws 2018.

When you apply for a licence, you'll need to provide us with information about your business, where you would like to trade and what goods or services you plan to sell.

You can find the public trading licence application form here: www.timaru.govt.nz/publictrading



FINDING A SUITABLE LOCATION

Mobile traders are welcomed in many public places within our District, though there are some exceptions. Here are some general guidelines to help you choose a suitable location:

- You should consider how people might reach your location - either on foot or by vehicle. If by vehicle, there needs to be somewhere safe nearby that vehicles can pull into, without obstructing traffic or pedestrians. Safe pedestrian access must be available at all times.
- The Timaru District Plan divides the District into different zones based on land use. If your planned trading location is in a residential, rural or recreational zone, you may need to obtain resource consent before trading. This involves a separate application process - we recommend you discuss with our Planning Unit prior to submitting your licence or resource consent application - phone 03 687 7200 or email planningconsents@timdc.govt.nz
- If you are planning to trade in front of or in close proximity to another business, it is preferred you gain agreement from that business and provide their written support with your licence application.
- A Public Trading Licence is not required to trade on private property, however you will need a licence to trade

in front of your property (such as on the roadside or grass berm). Please note that a resource consent may be required for some types of trading on private property.

- Public trading is generally not permitted on or adjacent to State Highways, busy/main local roads or in areas where the speed limit exceeds 70 km/h.
- Our staff will assess your planned location by considering safety, practicality and District Plan zoning. It's a good idea to phone us prior to submitting your application, to discuss your planned location.



SELLING FOOD

If you're planning on selling food, you must be registered to do so, either with Council or Ministry for Primary Industries (MPI) New Zealand Food Safety. You will also need to supply your food business registration number in your application for a Public Trading Licence.

To find out what rules apply to you, you can visit this website: <https://www.mpi.govt.nz/dmsdocument/42607-The-notebook-for-businesses-making-and-selling-food>.

The Food Act 2014 does have some exemptions to the registration requirement.

You can also contact the food team at Timaru District Council on foodadmin@timdc.govt.nz for more information.

HOW ARE APPLICATIONS ASSESSED?

When you apply for a licence, your application may be assessed by a range of Council staff, based on the location where you wish to trade, and what products or services you plan to sell.

If a resource consent is required, you will be asked to provide additional information to Council's Planning Unit who will support you through the application process.

If a licence is granted, it may be subject to a range of conditions (see next page).

Your business will be monitored by a Bylaws Compliance Officer to ensure you are complying with any conditions and local bylaws.

*Refer to the Timaru District Consolidated Bylaws 2018 for a list of conditions that may be imposed.



LICENCE CONDITIONS

When issuing public trading licences, Council has a duty to ensure that proposed trading activity will not create a public safety hazard or become a public nuisance.

As such, some general conditions of licence include:

- You may only operate your business in the day-time
- Portable signs (such as sandwich board signs), umbrellas and flags etc are not permitted
- You must organise disposal of any litter generated by your business - Council does not supply waste management services for public/mobile traders.

Please note

Depending on your application, further conditions may be imposed. A Council staff member will discuss these thoroughly with you upon issue of your licence.



LICENCE FEES

A current list of public trading licence fees can be found at www.timaru.govt.nz/publictrading

The fee for obtaining resource consent varies depending on the zoning of the proposed trading location and other factors. If you think you may need a resource consent to trade, we suggest you contact the Timaru District Council Planning Unit to discuss before submitting your Public Trading Licence application.



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