



# ROADSIDE TRADING POLICY 3.7

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## ROADSIDE TRADING

**DIVISION:** DEVELOPMENT & ENVIRONMENT

**PILLAR:** ENVIRONMENTAL SYSTEMS

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**FILE / BINDER:**

**POLICY STATEMENT:**

- a. Council endorse the proposal for Council's Special Constable to operate under Sections 72-73 of the Police Offences Act.
- b. When dealing with illegal roadside traders, the Special Constable to:
  - i. Observe the offence being committed.
  - ii. Interview offender and obtain full name, address, date of birth and description of vehicle including registration number.
  - iii. Fill out and issue an "on the spot" Warning Notice to each offender.
  - iv. Instruct offender to pack up and cease activity.
  - v. Require the offender to leave site immediately.
  - vi. If any person to whom you have issued the warning is observed committing the offence at that or any other location within Camden, do not approach.
  - vii. As soon as possible after observing the recurring offence, arrange the support of the Police.
  - viii. When the assistance has been arranged and is in place, approach the site and confiscate all goods, money excepted. Issue a receipt to the offender for the goods seized.
  - ix. Deliver the goods to the approved disposal point and obtain a receipt from the person taking delivery.
  - x. Seized goods such as buckets, chairs, tables, umbrellas, tarpaulins etc. to be returned to Council's depot pending the payment of the release fees.
- c. All flowers shall be donated to:
  - i. Mater Dei; or
  - ii. Camden Nursing Home; or
  - iii. Carrington Village; or
  - iv. Other suitable organisations as approved by the Director Works.
- d. All buckets, chairs and tables etc. confiscated from roadside traders shall only be returned to the owner upon payment to Council of the release fee of:

Buckets, umbrellas	\$10.00/item
Tables and Chairs	\$50.00/set
- e. All perishable goods shall be disposed of to the local Waste Disposal depot. Reason: Goods may be contaminated and it would be undesirable for Council to distribute food as the source and quality cannot be guaranteed fit for human consumption.

- f. If seized equipment has not been collected within six (6) months from the day of seizure, such equipment and goods shall be donated to the local schools or other beneficiaries as approved by the Director Works.

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<b>RELEVANT LEGISLATION:</b>	Local Government Act Impounding Act
<b>RELATED POLICIES:</b>	n/a
<b>DELEGATIONS:</b>	Y
<b>SUSTAINABILITY ELEMENT:</b>	n/a
<b>STAFF TRAINING REQUIRED?</b>	Y

**NEXT REVIEW DATE: JUNE 2009**

**PREVIOUS POLICY**  
**ADOPTED:**  
**MINUTE:**