



# WAIROA DISTRICT COUNCIL

## REGULATORY DEPARTMENT

☎ +64 6 838 7309  
☎ +64 6 838 8874  
✉ info@wairoadc.govt.nz

🌐 www.wairoadc.govt.nz  
📦 PO Box 54, Wairoa 4160, Hawke's Bay  
🏠 Coronation Square, Queen Street, Wairoa

### STANDARD CONDITIONS FOR

## MOBILE SHOPS, HAWKERS AND OCCASIONAL FOOD PREMISES

### CLASSIFICATION OF TRADERS

For the purposes of this policy, there shall be three classes of traders who do not trade from permanent premises and a group which will be permitted to sell food on special occasions:

- Mobile Shops
- Hawkers and Itinerant Traders
- Community Food Stalls

### MOBILE SHOPS, HAWKERS AND ITINERANT TRADERS

For the purpose of this policy, Hawkers, Mobile Shops and Itinerant Traders shall be as defined in New Zealand Standard 9201, Chapter 4 of 1972 - "Mobile or Travelling Shops and Hawkers and Itinerant Traders" and the provisions of these by-laws shall apply to such activities. In addition, persons conducting such businesses shall be subject to the Food Hygiene Regulations 1974, any other relevant legislation and the following Standard Conditions of the Wairoa District Council.

#### 1. Location

- 1.1 Trading, in the case of Hawkers and Mobile Shops, shall be restricted to areas designated for their use within the Wairoa and Mahia Beach urban settlements, unless exemption is granted to enable Hawkers and Mobile Shop Keepers to operate outside designated areas.
- 1.2 Where exemption is granted in terms of condition 1.1, trading may not be carried out within the Central Business District (C.B.D.) of the Wairoa Township being the area encompassed by **Achilles Street** from its intersection with Kitchener Street, right into **Lucknow Street**, left into **Locke Street**, right to **Queen Street**, left into **Delhi Street**, along **Marine Parade** to **King Street**, left into **King Street**, left into **Queen Street**, right into **Paul Street** to its intersection with **Achilles Street** and **Paul Street** across the Wairoa River, along **Bridge Street** to its intersection with **Mahia Avenue**, left into **Mahia Avenue** and left again into **Carroll Street** to its intersection with **Bridge Street** (please refer to the maps on pages 4 and 5 of this document).
- 1.3 Where exemption is granted to operate outside designated areas Hawkers and Mobile shops shall not remain in any location for more than 30 minutes during the course of any one day.
- 1.4 Hawkers, Mobile Shops and Itinerant Traders shall operate only during daylight hours.
- 1.5 As often as requested or directed by a Police Officer or Authorised Officer of the Land Authority, a hawker or mobile shop must move or alter position.

#### 2. Hygiene/Cleanliness Relating to Perishable Foodstuffs

- 2.1 The inside of vehicles and equipment are to be constructed of smooth, impervious material which can be cleaned easily.
- 2.2 All vehicles and equipment must be thoroughly cleaned at the end of each working day and as necessary during the course of each days activities to maintain a high standard of hygiene.
- 2.3 All foodstuffs which are displayed, handled or stored must be adequately protected from dust, dirt, flies and the direct rays of the sun.
- 2.4 No smoking is permitted while handling food.
- 2.5 Seafood shall only be sold from a refrigerated vehicle otherwise product shall be held in ice at the required temperature.
- 2.6 Shellfish and other similar foods are to be kept in wholesome condition and are not to be refreshed in creeks, rivers, sea or any other water which may give rise to contamination.
- 2.7 All dead and decayed shellfish and similar food to be disposed of in a sanitary manner and may not be offered for sale.

- 2.8 Seafood's are to stored in a licensed vehicle or on licensed food premises if stored overnight or for more than one day.
- 2.9 Spillage is to be adequately contained within "drip trays".
- 2.10 Every vehicle used in connection with a Mobile shop, must be approved by the Environmental Health Officer and may not be used for any purpose other than the operation of a mobile shop.
- 2.11 The name of the business or Mobile shop keeper and a contact address shall be displayed on the exterior of every vehicle used as a mobile shop, in lettering of not less than 25mm in height.
- 2.12 Any stall or vending apparatus used by hawkers or Itinerant Traders must be approved by the Environmental Health Officer prior to use for vending purposes.
- 2.13 The name and contact address of hawkers and itinerant traders must be clearly displayed in lettering of at least 25mm in height on any stall or vending apparatus.
- 2.14 Persons engaged in the handling and sale of foodstuffs must:
  - Be free of infections, disease or infected cuts.
  - Wear clean, light coloured protective clothing.
  - Provide suitable hand washing facilities at the point of handling or sale.
  - Ensure that no animals/birds are kept at facilities used for the preparation, handling, sale or transport of foodstuffs.
  - Ensure that they are Licensed by the Wairoa District Council and that they carry their licence for inspection at all times.

## **REASONS FOR POLICY ON MOBILE SHOPS/HAWKERS**

1. Just as industrial activities, commercial activities and residential activities are grouped into common localities, the intention is to group mobile shops and hawkers, being "like activities" into "like areas".
2. To alleviate traffic safety hazard by preventing trading from potentially dangerous road-side locations.
3. To provide facilities which will enable traders to operate under conditions which suit both their needs and the needs of the community.
4. To ensure that there is no detracting from the principal purpose and aesthetic quality of the C.B.D.
5. To provide Hawkers and Mobile shop keepers with a clear directive to follow which will ensure that they operate within the legal framework and according to principles of good hygiene.

## **COMMUNITY FOOD STALLS**

### **Definition**

Part B of the definition of "OCCASIONAL FOOD PREMISES", as contained in the Food Hygiene Regulations 1974 shall apply and shall mean, "food premises that are used only for the preparation or handling of food for sale, or for the sale of food, on special occasions". Community food stalls shall be restricted to groups or individuals raising funds for community projects or organisations.

## **STANDARD CONDITIONS OR OPERATION**

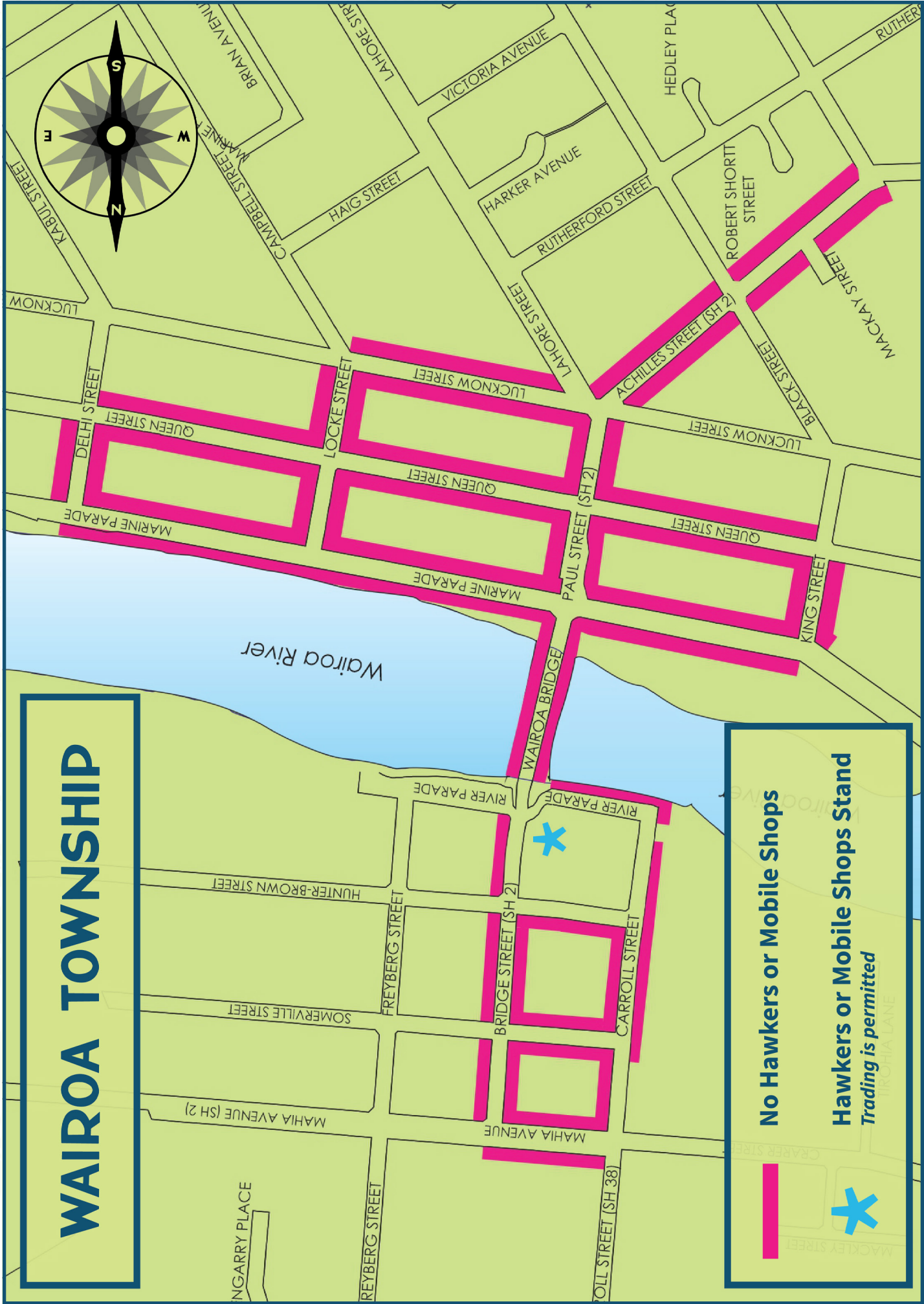
1. Community Food Stalls may be held only for the purpose of raising funds for "Community Projects and Services".
2. A permit shall be obtained from the Wairoa District Council for the operation of every Community Food Stall and this permit must be displayed prominently at the stall during the hours of operation.
3. **Every operator of a Community Food Stall shall ensure that:**
  - 3.1 All perishable food, whether used as ingredients for the preparation of foodstuffs, or for sale in it's final form, is kept either at a temperature above 60°C, or below 4°C in the case of cold foodstuffs.
  - 3.2 All foodstuffs are kept covered prior to sale so as to prevent air born contamination and people touching food.
  - 3.3 A container of clean water, soap, a nail brush and clean towelling to enable people preparing food to wash their hands thoroughly after visiting a toilet or at other appropriate times.
  - 3.4 Foodstuffs are handled only with clean utensils. Plastic, disposable gloves may be used, but must be changed frequently to prevent their contamination. Utensils and gloves which are used for handling raw foodstuffs may not be used for handling prepared foods.



- 3.5 If food is to be pre-prepared, preparation is carried out on premises which have been approved by the Environmental Health Officer.
  - 3.6 Perishable foods which have been stored, handled, or displayed at Community Food Stalls (other than within a deep freeze) but not sold, are discarded and may not be offered for sale on any other occasion.
4. Community Food Stalls shall be limited to operating on a maximum of 24 days during any one calendar year.
  5. Prior to commencing operation, it shall be the operators responsibility to obtain the consent of any shop keeper outside whose premises it is proposed to hold a stall.
  6. It shall be the responsibility of the operator of any Community Food Stall to ensure that the area surrounding the stall is kept clean. Any material which is dropped or spilled on the ground, pavement or adjacent buildings, must be thoroughly cleaned up by the operator prior to leaving the site at the end of the day.
  7. The granting of permits to operate Community Food Stalls shall be at the discretion of the Environmental Health Officer who may impose any additional conditions as may be considered appropriate to the operation of stalls.
  8. Community Food Stalls may not obstruct the free flow of pedestrian or vehicular traffic on pavements, sidewalks or streets, or be so situated as to represent a safety hazard.
  9. Compliance with the Standard Conditions governing Community Food Stalls does not exempt operators from complying with any other statutory requirements.
  10. Any Authorised Officer of the Wairoa District Council or Police Officer may direct the operator of any Community Food Stall to cease operating or to re-locate to a different position if in the opinion of the Officer the stall is not being operated in accordance with the conditions of the permit issued to the operator or it does not comply promptly with any directive received from such Officer.

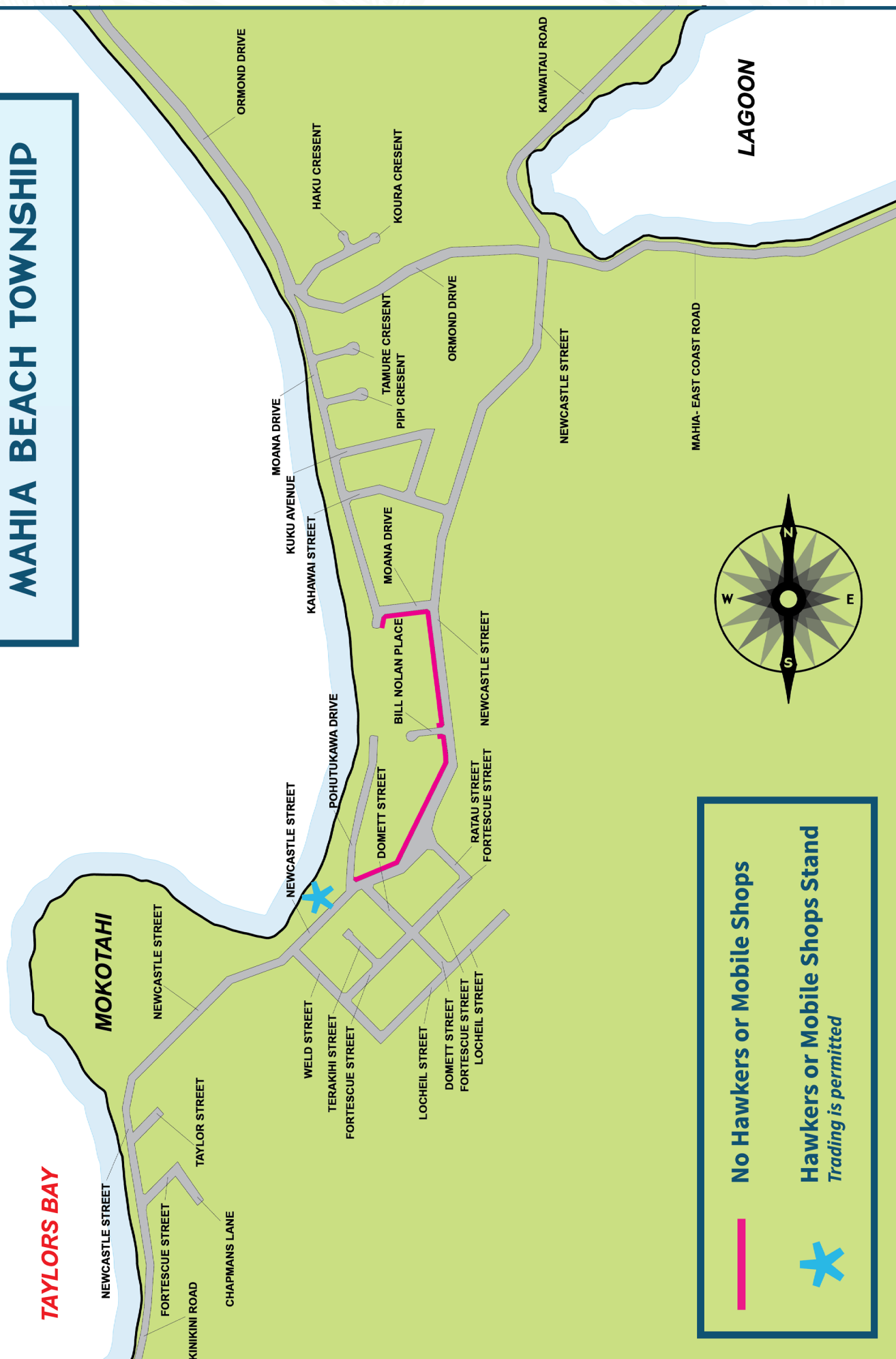
#### **REASON FOR THE POLICY ON COMMUNITY FOOD STALLS**

1. To ensure that food which is sold on special occasions for the purpose of fund raising is prepared to minimum standards of hygiene, which are designed to safeguard against food born diseases.
2. To provide means of control to ensure that "Pavement Food Stalls" do not become obstructive to pedestrian or vehicular traffic.
3. To provide a permanent record of the origin of food prepared for sale to the public other than from licensed premise, for epidemiological purposes in the event of food - born disease affecting purchasers of food from fund-raising stalls.
4. To provide operators with clear guidelines which will enable them to operate within the framework of the law and according to a reasonable standard of hygiene.



# MAHIA BEACH TOWNSHIP

**TAYLORS BAY**



**No Hawkers or Mobile Shops**

**Hawkers or Mobile Shops Stand**  
*Trading is permitted*