

MOBILE FOOD BUSINESS ROADSIDE VENDING

POLICY

July 2016

TABLE OF CONTENTS

POLICY	3
1 PURPOSE	3
2 STANDARDS	3
3 REFERENCES AND DEFINITIONS	3
4 REVIEW	3
5 ELIGIBILITY	4
6 LOCATIONS	4
7 TRADER RESPONSIBILITIES	4
8 TRADER RESTRICTIONS	4
9 COUNCIL RESPONSIBILITIES	5
10 MOBILE FOOD BUSINESS PERMIT PROCESS	5

POLICY

This policy has been developed by Central Coast Council to guide the Council's consideration of applications for Mobile Food Business (MFB) roadside vending permits (under Section 56C of the *Vehicle and Traffic Act 1999*) and to provide a framework for the management of mobile food businesses on public land (i.e. parks or reserves, streets or roads) within the central Coast area.

1 PURPOSE

To guide the issuing of roadside vending permits for Mobile Food Businesses.

This Policy does not apply to Mobile Food Businesses that might be involved in events such as Markets or other major events where the responsibility for managing MFB Permits is that of the event organiser.

2 STANDARDS

This policy was developed with reference to:

- . Section 56C of the *Vehicle and Traffic Act 1999*

3 REFERENCES AND DEFINITIONS

Mobile Food Business – includes any:

- . Registered vehicle, caravan or trailer or any other method from which food is sold;
- . Non-registered vehicles such as, but not limited to coffee carts, hot dog carts or similar vehicles.

Public Place – includes any:

- . Public park, garden, reserve or other place of public recreation;
- . Wharf, pier or jetty;
- . Place of public resort; and
- . Open space to which members of the public have, or are permitted to have, access but excludes any land vested in a person or a corporation other than the Crown or Council.

4 REVIEW

This policy will be reviewed every three years unless organisational changes require more frequent modifications.

5 *ELIGIBILITY*

To be eligible for a MPB Permit, operators need to meet the basic standards required for the operation of such a business including:

- . Australian Business Number
- . Current Vehicle Registration
- . Public Liability Insurance(not less than \$10m in respect of any single occurrence; and
- . Registration under the *Food Act 2003*

6 *LOCATIONS*

The Council will nominate a number of sites annually from which MFBs can operate. These sites are reviewed on an annual basis and are selected on the following criteria:

- . Proximity to surrounding businesses and commercial products;
- . No obstruction to roads, footpaths, traffic signals and road signage;
- . Minimum clearance of 25 metres from a school crossing or other similar traffic control facility;
- . minimal disruption to surrounding residential areas; and
- . Availability of parking.

7 *TRADER RESPONSIBILITIES*

It is the responsibility of the trader to ensure that:

- . The MFB does not cause any obstruction to footpaths, roads and sightlines;
- . Residential amenity is not unreasonably compromised by the MFB including patron behaviour, noise, odour, lighting and disposal of litter;
- . Provision is made for the disposal of all litter associated with the MFB. Trade waste must not be placed in public litter bins; and
- . The preparation, handling and serving of food and drinks to patrons must be conducted in accordance with the requirements under the Food Act 2003 and the Council's Environmental Health Unit.

8 *TRADER RESTRICTIONS*

To ensure a MFB does not compromise the operation of existing food businesses or future businesses and protects the wellbeing of the Community, a Trader:

- . Must only operate at the designated site;

- . Designated MFB sites will be located a minimum of 150m from the closest food premises;
- . Foods offered for sale from the MFB may be restricted and described within the permit conditions; and
- . The sale of alcohol or cigarettes is prohibited from MFBs operating in the Central Coast area. Any MFB found to be selling items of this nature will instantly have the permit revoked.

9 COUNCIL RESPONSIBILITIES

Council authorised officers are responsible for the issuing and monitoring of MFB permits. Following a complaint or observation of a breach of the MFB permit, Council officers will contact the permit holder and take appropriate enforcement action which may include the cancellation of the permit. Council can cancel the permit at any time with 30 days written notice.

10 MOBILE FOOD BUSINESS PERMIT PROCESS

Council will assess each application on its merits. Selection of MFBs will be made on set criteria including:

- . Quality, diversity and uniqueness of offering;
- . Presentation/quality of van;
- . Safety and amenity;
- . History with current or previous trader operations (if available); and
- . Evidence of all relevant licences and registrations.

There are a maximum of three permits allocated to each site at any one time.

When submitting an application for a MFB permit, the following information is required:

- . Details of the size of the vehicle; a detailed plan at scale of 1:100 of the vehicle must be submitted showing exterior and interior dimensions;
- . Copy of all required registrations and licences;
- . Details of preferred location/s, days and hours of operation;
- . Menu of food to be sold;
- . Details of any associated street furniture, lighting, banners, bunting; and
- . Permit application form.

Failure to submit all of the above details may result in the trader not being considered for a permit.

Permits are issued on an annual basis.

The permit fee is set by the Council as part of the annual budget process.

Applications for permits are reviewed by the Director Community Services and signed off by the General Manager.

If successful, the trader will then be required to provide a certificate of currency to indemnify the Council against all claims of any kind arising from any negligent act either by the permit holder or the permit holders agents or users, and pay the required permit fee prior to the commencement of any operation.

Date of approval:/...../.....

Approved by:

.....
Sandra Ayton
GENERAL MANAGER