

Central Coast Council

Mobile Food Vendors Policy

JULY 2021



CENTRAL COAST COUNCIL

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PURPOSE

This policy has been developed by the Central Coast Council to guide the Council's consideration of applications by Mobile Food Vendors for permits under Section 56C of the *Vehicle and Traffic Act 1999* within the Central Coast municipal area

STANDARDS

This policy was developed with reference to the *Vehicle and Traffic Act 1999*.

Section 56C of the Act requires a person to obtain a permit from Council to sell goods from a stall, stand or vehicle on a public street.

In determining whether or not to grant a permit Council:

- . Must consult Tasmania Police;
- . Must consider traffic conditions and public safety;
- . May consider other relevant matters.

REFERENCES AND DEFINITIONS

Public Street includes any:

- . Any street, road, lane, thoroughfare, footpath or bridge;
- . Any place open to or used by the public or to which the public are allowed access.

Mobile Food Vendor 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.

Fixed Food Business includes any:

- . Business registered under the *Food Act 2003* trading in a building.

REVIEW

This policy will be reviewed after two years unless organisational changes require more frequent modifications.

ELIGIBILITY

To be eligible for a 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.

EXEMPTIONS

This policy does not apply to applications by food vendors to operate from a public road as part of a Council supported or endorsed event on a public street.

Mobile Food Vendors operating from a particular location on a public street for less than 15 minutes are not required to hold a permit but must comply with the safety aspects of this policy.

This Policy does not apply to Mobile Food Vendors that are involved in events such as Markets or other major events where the responsibility for managing permissions is that of the event organiser.

LOCATIONS

Sites are assessed on the following criteria:

- . Proximity to surrounding businesses;
- . 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;
- . Disruption to surrounding residential areas; and
- . Availability of parking.

TRADER RESPONSIBILITIES

It is the responsibility of the trader to ensure that:

- . The Mobile Food Vendor does not cause any obstruction to footpaths, roads and sightlines;
- . Residential amenity is not unreasonably compromised by the Mobile Food Vendor including patron behaviour, noise, odour, lighting and disposal of litter;
- . Provision is made for the disposal of all litter associated with the Mobile Food Vendor;
- . 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*.

TRADER RESTRICTIONS

To ensure a Mobile Food Vendor 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 at the permitted times.
- . Must be located a minimum distance of 50m from a fixed food business that is open and selling food.

COUNCIL RESPONSIBILITIES

Section 56C of the *Vehicle and Traffic Act 1999* stipulates that food vendors cannot operate from a public road without a permit from the General Manager of the relevant council. This permit can be issued for a maximum of twelve months.

In assessing whether to grant a permit, the Act requires the General Manager to take into account traffic safety, public convenience and any other relevant issues.

Approval to sell from any particular location does not grant an exclusive right.

MOBILE FOOD VENDOR PERMIT PROCESS

The Council will assess each application on its merits. Approval of Mobile Food Vendors will be made on set criteria including:

- . Traffic conditions and safety;
- . Pedestrian safety;
- . Registration under the Food Act 2003 if required;
- . Proximity to fixed food businesses; and
- . Other required licences or registrations.

When applying for a Mobile Food Vendor 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;
- . Details of any associated street furniture, lighting, banners, bunting; and
- . Permit application form.

Failure to submit all 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.


SANDRA AYTON
GENERAL MANAGER

Date of approval: 19/ July / 2021

Approved by:

Minute Ref No. 211/2021.....