



Policy 55 – Mobile Food Vendor

Ref: DOC/19/10092

Adopted: 21 October 2019

Minute No. 178/19

Version: 1

Reviewed Date:

Council Minute No:

Vehicle and Traffic Act 1999 – Part 7A;

Traffic Act 1925

Local Government Act 1993

Local Government (Highways) Act 1982

Statutory Authority:

OBJECTIVE

To support mobile food vendor opportunities in Dorset that will encourage food business diversity, local entrepreneurialism and a high standard of customer service delivery in food services.

POLICY

This Policy applies to public streets maintainable by Council in township or village areas.

Definitions

Mobile food vendor: a take away food vendor operating from a mobile vehicle or trailer for the purpose of selling food and drinks for immediate consumption.

Public street: under the *Traffic Act 1925*, means any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise.

Exemptions

A Mobile Food Vendor Permit will not be required for mobile food vendors that:

- a) Park for less than 15 minutes at a single location at a time (and not returning to a same location within 24 hours); or
- b) Operate from a public street specifically as part of a Council supported or endorsed event.
- c) Operate from a public street and are an approved community organisation or charitable event.

Application Process

- a) A mobile food vendor must apply for a Mobile Food Vendor Permit and pay the applicable fee under Council's Fees and Charges Schedule.
- b) When all required information has been received, Council's Director Community and Development will decide within 14 days whether to grant a permit.
- c) Notwithstanding the requirement of (b) above, the General Manager has the discretion to either (i) relax or waive operational requirements and permitted hours of trade of the Policy, or (ii) refuse a Mobile Food Vendor Permit, where considered appropriate.

Operational Requirements

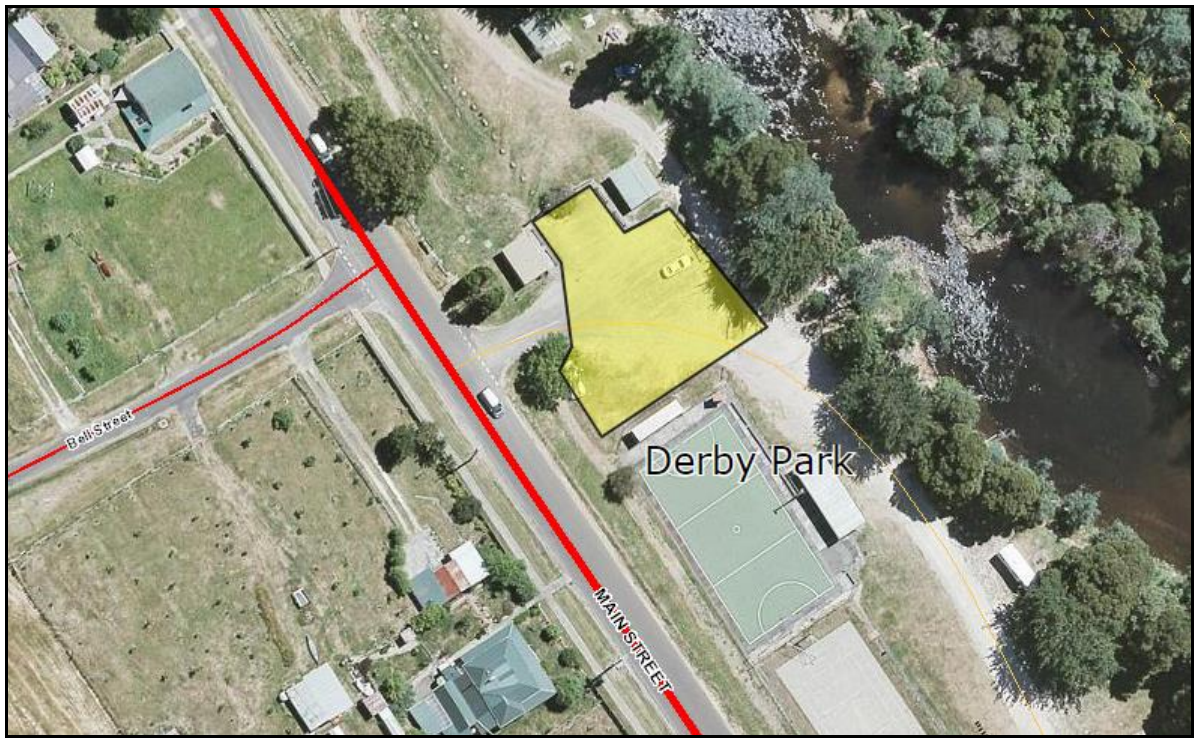
Mobile food vendors:

- a) must be in possession of a mobile food business registration, valid within Tasmania (unless registration is not required due to only serving non-potentially hazardous food);
- b) must hold a current public liability insurance policy to operate;
- c) must provide rubbish receptacles at the site and ensure all rubbish generated from their use at the site is removed and disposed of responsibly;
- d) must ensure that wastewater and waste oil are contained according to Environmental Health Standards and removed and disposed of appropriately;
- e) must ensure that no wastewater, oil or other liquid is deposited into the stormwater system; and
- f) must not, unless otherwise authorised by the Council's Director Community and Development, leave the vehicle or trailer from which they conduct their food business unattended on a public street for a period longer than one hour (excluding a public street adjacent to the address at which the vehicle or trailer is registered, whilst not trading from the business).

Permitted Locations in Derby

Applications for a Mobile Food Vendor Permit will only be considered at the following locations, as illustrated in the images below. Within these locations, mobile food vendors will be permitted to trade during the following times:

- Monday to Friday: 7 am and 6 pm
- Saturday: 8 am and 6 pm
- Sunday or public holiday: 10 am and 6 pm



Other Matters

- a) A Mobile Food Vendor Permit is valid for a period of 12 months.
- b) A mobile food vendor seeking to operate from more than one vehicle must apply for a separate permit for each vehicle (a non-motorised van/trailer coupled with a vehicle solely used to tow will be considered as one vehicle).
- c) A Mobile Food Vendor Permit is not transferrable or refundable and applies specifically to the mobile food vendor identified in the permit.
- d) Mobile Food Vendor Permits are not automatically renewed. Mobile food vendors will need to apply for a new permit at least four (4) weeks in advance of their existing permit expiring.
- e) Proof of residence (current) will be required to be supplied by an applicant for any application for a Mobile Food Vendor Permit.
- f) Pending consultation with Councillors, applications for a Mobile Food Vendor Permit to trade from locations other than the identified *Permitted Locations* will be considered and determined at the discretion of the General Manager.