
	PERMIT TO USE A PUBLIC ROAD (MOBILE FOOD VENDORS) <i>Pursuant to Section 222 of the Local Government Act 1999</i> MOBILE FOOD BUSINESS	Form No:	GOV011
		Version No:	1.0
		Page No:	1 of 4
		Last Updated:	5 March 2018
		Form Ownership:	Executive Support Coordinator
		Relevant Policy/Act:	Sec 222, <i>Local Government Act 1999</i> GOVPOL 19 – Mobile Food Business Policy

This permit relates to activities of a mobile food business nature only.
Please complete if you are a mobile food business applying to operate on Council Roads.


Permit Holder (Name)	
Mobile Food Vending Business (Name)	
Vehicle type (Make & Model)	
Vehicle registration	
Commencement Date (date on or after payment of permit fee)	
Permit fee	Annual Fee: Minimum Rate + GST Monthly Fee: Minimum Rate/12 = GST <i>Indicate which fee has been paid by the Permit Holder</i> <i>Date Paid</i> <i>Receipt Number</i>
Insurance	Minimum \$10,000,000 Public Liability Insurance (certificate of currency attached)
Food Business Notification Number	

1. The Permit Holder is authorised to conduct the Mobile Food Vending Business from the vehicle identified above on a public road in the Council area subject to the conditions set out in this permit.
2. **The permit is subject to the payment of a permit fee.** The Permit Holder may elect to pay either an annual fee or a monthly fee.
3. The permit will operate from the Commencement Date and will expire:
 - 3.1. in respect of a permit for which the Annual Fee has been paid, 12 months after the Commencement Date; and
 - 3.2. in respect of a permit for which a Monthly Fee has been paid, 1 month after the Commencement Date,
unless cancelled earlier by the Council in accordance with the *Local Government Act* and the *Local Government (General) Regulations 2013*.
4. The Permit Holder may only operate the Mobile Food Vending Business from a location which is consistent with the location rules for mobile food vending businesses published by the Council (available at [www.dccgrant](http://www.dccgrant.govt.nz) /Our Council/Council Governance/Council Policies and By-Laws/Mobile Food Business Policy).

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		Version No:	1.0
		Page No:	2 of 4
		Last Updated:	5 March 2018
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The following locations have been specifically excluded:

- Mount Gambier Airport
 - Mount Gambier and District Saleyards
 - Parking Bay at the Tarpeena Public Toilets
 - Port MacDonnell -Tenterden Reserve – Boat Ramp and Carpark
 - Port MacDonnell – Sea Parade between Standish Street and Bookey Street
5. This permit does not provide the Permit Holder with exclusive access to any location in the Council area from which to operate the Mobile Food Vending Business.
 6. Operating hours are from dawn to dusk unless otherwise stated or approved by Council.
 7. The Permit Holder must vacate the location in which the Mobile Food Vending Business has operated at the end of each trading period.
 8. The Permit Holder must ensure that the operation of the Mobile Food Vending Business does not unduly interfere with:
 - 8.1. vehicles driven on the road;
 - 8.2. vehicles parking or standing on roads;
 - 8.3. a parking area for people with disabilities (within the meaning of rule 203(2) of the *Australian Road Rules*);
 - 8.4. public transport or cycling infrastructure (such as bus zones, taxi zones and bike lanes);
 - 8.5. other road related infrastructure; or
 - 8.6. infrastructure designed to give access to roads, footpaths and buildings.
 9. The Permit Holder must comply with requirements of:
 - 9.1. the *Local Government Act 1999* and the *Local Government (General) Regulations 2013*;
 - 9.2. the *Food Act 2001*;
 - 9.3. the *South Australian Public Health Act 2011*;
 - 9.4. the *Environment Protection Act 1993*;
 - 9.5. the *Local Nuisance and Litter Control Act 2016*;
 - 9.6. the *Motor Vehicles Act 1959* and *Road Traffic Act 1961*;
 - 9.7. any law or legislative provision relating to electrical or gas installations or appliances; and
 - 9.8. any other relevant law or legislative provision relating to health, safety or the environment, when operating the Mobile Food Vending Business.

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		Version No:	1.0
		Page No:	3 of 4
		Last Updated:	5 March 2018
		Form Ownership:	Executive Support Coordinator
		Relevant Policy/Act:	Sec 222, <i>Local Government Act 1999</i> GOVPOL 19 – Mobile Food Business Policy


10. The Permit Holder is responsible for all waste and litter created by the Mobile Food Vending Business or its customers. The Permit Holder must ensure that all waste and litter caused by the Mobile Food Vending Business or its customers is removed from the location in which the Mobile Food Vending Business has operated prior to leaving that location. Council provided rubbish bins may not be used by the Permit Holder for the disposal of waste or litter.
11. The Permit Holder must hold insurance as specified above whenever the Mobile Food Vending business is operating. Evidence of the insurance held by the Permit Holder must be provided to the Council or an authorised person on request.
12. A breach of a condition of this permit may result in a penalty of up to \$2,500 or the cancellation of this permit.
13. If the permit is cancelled, the Permit Holder must inform any council which has also issued a current mobile food vending permit to the Permit Holder of the cancellation as soon as is reasonably practicable after receiving notice of the cancellation. A failure to provide notice may result in a penalty of up to \$500.
14. If this permit is cancelled, the Permit Holder may be prohibited by the Council from applying for a mobile food vending business permit for a period of up to 6 months (**Prohibited Period**). The Permit Holder must inform a council to which the Permit Holder makes an application for a mobile food vending business permit during the Prohibited Period of the cancellation as soon as is reasonably practicable after receiving notice of the cancellation. A failure to provide notice may result in a penalty of up to \$500.
15. This permit is personal to the Permit Holder and may only be transferred with the prior written approval of the Council.
16. The Permit Holder must be able to produce this permit at all times when conducting the Mobile Food Vending Business, if requested to do so by an authorised person.
17. In this permit:

authorised person means an authorised person appointed by the Council pursuant to the *Local Government Act 1999*.

operating a mobile food vending business includes:

- (a) the handling and preparation of food intended for sale;
- (b) the selling of food;
- (c) transporting the mobile food vending business to, from and within the Council area;
- (d) parking the mobile food vending business; and
- (e) setting up and dismantling the mobile food vending business.

public road has the meaning given in the *Local Government Act 1999*.

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		Version No:	1.0
		Page No:	4 of 4
		Last Updated:	5 March 2018
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Applicant Acknowledgement

I/We agree and acknowledge that:

- This permit is for one mobile food vending van only.
- Occupation is on a 'first in' basis.
- Operating hours are from dawn to dusk unless otherwise stated or approved by Council.
- There is no minimum or maximum stay limit between the listed hours of operation.
- Exclusive use of an area is not permitted and areas are not to be reserved.
- A bin/bins must be provided for the customers and no waste material to be disposed of in Council bins.

- ***The above information is true and correct and I/we have read, understand and agree to be bound by the Council's Mobile Food Business Policy and Guidelines and the Permit Terms and Conditions set out herein; and***
- ***The Permit Holder takes responsibility for safety and compliance with any Act of Parliament, Regulations or By-Laws relating to the operation of a mobile food vending business and occupation at an approved Council location.***

Signature: _____ **Print Name:** _____

Date: _____

OFFICE USE ONLY

Insurance:	Yes	No
Name of Authorised Officer of Council:		
Position:		
Signature		
Date:	/ /	
Fee:	\$	