Mobile Food Vendor Permit Application

issued under section 222, *Local Government Act 1999*
by Berri Barmera Council (Council)

Name of Organisation/Business:

Name of contact person/Business owner:

Food Business Notification Number:

Council where Business is located/garaged:

Postal Address:

Mobile Phone: email:

Insurance details (please attach current certificate:

Number of staff:

Please specify the full range of foods offered (or supply a menu):

Permit period required: / / to / /

(Please note permit period is based on the financial year, for example: 1/7/2021 – 30/6/2022)

Permit Fee: Annual Fee: (Refer to Council's Fees and Charges)

Monthly Fee: $

Intended Locations:

I have read and completed the Mobile Food Vendor Permit application in good faith and will adhere to all the requirements specified by the Berri Barmera council.

Signed: _____ Date: _____

Conditions of permit:

1. The Permit Holder is authorised to conduct the Mobile Food Vending Business on a 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 on councils website – Mobile/Temporary Vending Policy).
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. The Permit Holder must vacate the location in which the Mobile Food Vending Business has operated at the end of each trading period.
7. The Permit Holder must ensure that the operation of the Mobile Food Vending Business does not unduly interfere with:
   - 7.1. vehicles driven on the road;
   - 7.2. vehicles parking or standing on roads;
   - 7.3. a parking area for people with disabilities (within the meaning of rule 203(2) of the *Australian Road Rules*);
   - 7.4. public transport or cycling infrastructure (such as bus zones, taxi zones and bike lanes);
   - 7.5. other road related infrastructure; or
   - 7.6. infrastructure designed to give access to roads, footpaths and buildings.
8. The Permit Holder must comply with requirements of:
   - 8.1. the *Local Government Act 1999* and the *Local Government (General) Regulations 2013*;
   - 8.2. the *Food Act 2001*;
   - 8.3. the *South Australian Public Health Act 2011*;
   - 8.4. the *Environment Protection Act 1993*;
   - 8.5. the *Local Nuisance and Litter Control Act 2016*;
   - 8.6. the *Motor Vehicles Act 1959* and *Road Traffic Act 1961;*
   - 8.7. any law or legislative provision relating to electrical or gas installations or appliances; and
   - 8.8. any other relevant law or legislative provision relating to health, safety or the environment,

   when operating the Mobile Food Vending Business.

Conditions of permit continued:

9. **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. Litter/waste removal if required to be done by Council may incur a cost to the permit holder. Council provided rubbish bins may not be used by the Permit Holder for the disposal of waste or litter.**

10. 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.

11. A breach of a condition of this permit may result in a penalty of up to $2,500 or the cancellation of this permit.

12. 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.

13. 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.

14. The permit is personal to the Permit Holder and may only be transferred with the prior written approval of the Council.

15. **The Permit Holder must be able to produce the permit at all times** when conducting the Mobile Food Vending Business, if requested to do so by an authorised person.

16. The permit holder must be able to produce a copy of the Food Business Notification details from the relevant council.

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.

Meter box access for Mobile Food Vendors
Mobile food vendors requiring access to meter boxes in the Berri Barmera Council area will be required to;

- A deposit of $20 is required at the time of application for the meter boxes
- A fee of $5.00 per usage

Notification to council prior to event or use