



shire of Ashburton

Mobile Food Trader Guidelines



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Objectives

To allow outdoor food trading activities in a manner that improves the access, usage, quality and image of the Shire of Ashburton's public spaces whilst managing the competing needs and interests of pedestrians, consumers and local business operators.

Purpose

- Provide guidance on the requirements for the operation of Mobile Food Vehicles within the Shire of Ashburton
- Encourage Mobile Food Vehicles to operate in locations which support the activation of public spaces
- Ensure Mobile Food Vehicles operate in a way which complements existing food businesses in commercial areas
- Ensure Mobile Food Vehicles do not unreasonably compromise the amenity of the surrounding residential area
- Ensure Mobile Food Vehicles are of a temporary nature in line with the permitted trading times for each location
- Ensure Mobile Food Traders practice safe food handling in accordance with the Food Act 2008
- These guidelines outline the requirements for Mobile Food Traders but do not include traders operating in a traditional itinerant manner.

The following guidelines detail the considerations to be addressed by applicants and the Shire's Officers in making and approving applications for the issue of a Trader's Permit.

1.Amenity and Appearance

Mobile Food Traders must:

1.1 Not obstruct, cover, remove, relocate or modify trees, public art, benches, bins, bus shelters or other Shire owned infrastructure as a result of a Mobile Food Trader operation

1.2 Not sell alcohol, tobacco or any illegal products at any time

1.3 Have a vehicle with high quality presentation; and

1.4 Ensure any advertising does not encroach on public walkways and is undertaken in accordance with the relevant local laws

2.Registration Conditions Mobile Food Vehicles

Mobile Food Traders are only permitted to trade within the Shire if they meet the following conditions:

2.1 Hold a valid Shire of Ashburton Trader's Permit

2.2 Hold a current Food Act 2008 Certificate of Registration from a Western Australian Local Government

2.3 The Permit Holder is restricted to locations approved by the Shire

2.4 The vehicle must not require an external mains power connection

2.5 Parking for towing vehicles is generally not permitted at the same location as the trader. The towing vehicle must be parked off site or in a designated parking bay

2.6 Where an applicant wishes to operate on privately owned land the applicant must submit a letter of approval from the owner or legal occupier of the land with proposed dates, times and locations and must also apply for a Trader's Permit in terms of the Activities on Thoroughfares and Public Places and Trading Local Law 2013. Such an application may also require Development Approval from the Shire's Planning Section.

3. Maintenance and Cleaning

A Permit Holder is required to comply with all maintenance aspects of the entire operation, including the conditions of the Trader's Permit. The following requirements apply:

3.1 The Mobile Food Vehicle and fixtures must be kept in a safe and well-maintained condition at all times

3.2 Mobile Food Traders must ensure that the Mobile Food Vehicle and food handling activities comply at all times with the requirements of the Food Act 2008 and Australia New Zealand Food Standards Code

3.3 The trading location must be regularly cleaned during all hours of operation presenting a continuous well cared for image

3.4 All liquid waste must be collected for appropriate disposal offsite

3.5 No waste or litter is to be disposed of in Council rubbish bins by the traders. Mobile Food Traders must provide bins for use and ensure the area around their position is kept clear of rubbish and refuse at all times. Refuse must be removed off site following the end of trade.

Failure to comply with the conditions of the Trader's Permit may result in the Permit being revoked.



4.Management

The Permit Holder is to take full responsibility for the care, appearance, maintenance and operation of their activity area and the effect on neighbouring activities. It must be understood that the trading location remains public space. This means operators and patrons do not have exclusive occupancy of the area.

The following principles apply:

4.1 Permanent fixtures and elements are not permitted. Following trade, the Mobile Food Vehicle and all related fixtures must be removed from the site. The site must be left in the same condition in which it was originally found

4.2 Any fixtures relating to the Mobile Food Trader (e.g.) umbrellas, signs, waste bins etc. should be sturdy and windproof, made of quality materials and be well designed and constructed to be safe to use, without sharp edges or other features likely to cause injury

4.3 Fixtures must not be placed where they present a barrier or danger to pedestrians crossing the street, kerbside usage by motorists or access by pedestrians/cyclists

4.4 Vehicles must be positioned to allow full access to service covers (e.g.) manholes and, existing services when required

4.5 All items belonging to the Permit Holder positioned within the trading location are the Permit Holder's responsibility

4.6 Mobile Food Vehicles must not remain at site when not in use for trade

4.7 Each Permit will be allocated a trading period as defined on the permit and it is the responsibility of the Permit Holder to ensure that trading does not occur outside of specified hours

4.8 Mobile Food Vehicles must not require external mains power, gas or water connections

4.9 All noise emissions, including but not limited to music and generators from the operation of the Mobile Food Vehicle, must comply with the prescribed levels of the Environmental Protection (Noise) Regulations 1997. Should justified complaints be received, or in the opinion of a Shire Officer that any noise emissions are deemed excessive, the trader will be required to reduce emissions to compliant levels

4.10 When a community event approved by the Shire is being held within a specific location (e.g.) festivals and family fun days, any Permits issued for that area will be rendered void for the duration of that event

4.11 The provision of temporary seating and tables is strongly encouraged for patrons in trading locations where there is sufficient space

5. Public Risk Management

5.1 Mobile Food Trader Permit Holders must have a current public liability insurance policy. The policy must insure for the amount of at least TEN MILLION DOLLARS (\$10,000,000) and must cover injury, loss or damage to persons or property arising out of the activity carried out under this Permit or the granting of this Permit by the Council.

6. How to Apply for a Trader's Permit

6.1 Complete the ['Application for Trader's Permit'](#) Application Form. Where a group of Mobile Food Traders are applying in a coordinated approach, each Trader must submit a separate application and all documentation lodged together

6.2 Provide a current photograph of your Mobile Food Vehicle

6.3 Include a current copy of Public Liability Insurance 'Certificate of Currency' for the amount of \$10,000,000

6.4 Include a copy of your current Food Act 2008 Certificate of Registration of a Food Business issued by the Local Government where the Mobile Food Vehicle is housed

7.Approval Process

7.1 Mobile Food Traders are not automatically guaranteed approval if they have been previously issued with approval to trade in another Local Government Authority or in the Shire of Ashburton

7.2 Applications will be assessed on a case by case basis. Permits will be allocated to Mobile Food Traders at the discretion of the Shire in accordance with the following criteria:

7.2.1 The condition and appearance of the Mobile Food Vehicle

7.2.2 Inclusion of healthy food options. The Shire strongly encourages traders to offer healthy alternatives

7.2.3 The minimization of packaging and single use disposables where possible. If unavoidable, the Shire recommends items that are recycled / recyclable / reusable / biodegradable and / or compostable

7.2.4 Public safety

7.2.5 Unfair competition against local businesses and sporting clubs

7.2.6 Comprehensiveness of information provided in the application

8.Fees

8.1 The Permit Holder will be required to pay the fees and charges as prescribed by the Council

8.2 The fees will be consistent with the Permit as detailed in the Shire's Fees and Charges for the relevant financial year

9. Permit Monitoring and Cancellation

9.1 The Shire's Environmental Health Officers may conduct unannounced inspections of vans to determine compliance with the relevant legislation

9.2A Permit may be cancelled or amended if the Permit Holder fails to comply with the Permit conditions

10. General Location and Siting Requirements

10.1 The Shire will consider applications from individual traders as well as traders operating in a coordinated manner at all locations

10.2 Permit Holders arranged in a coordinated approach are responsible for preparing and advertising a roster system that determines when and at which trading location a Mobile Food Vehicle trades

10.3 The Shire reserves the right to approve additional Mobile Food Vehicles at any site

10.4 Mobile Food trading will not be supported where vehicle size or layout may compromise public access, circulation, safety or other street activities

10.5 The Shire reserves the right to reduce the number of vehicles at sites due to wear and tear issues

10.6 Permit holders must display the permit in a prominent and visible location on the approved vehicle at all operating times



Definitions

Mobile Food Trading is the use of public areas for preparing and dispensing food products by a Mobile Food Trader.

Mobile Food Trader is a business operated from a vehicle, van, trailer (or similar) that complies with the Food Act 2008 and Australia New Zealand Food Standards Code.

Mobile Food Vehicle includes any registered vehicle, caravan, trailer or other method of transport from which food is sold.

Mobile Food Trading Coordinator is the entity responsible for the rostering, promotion and general coordination of a group of food trucks across one or more locations.

Permit Holder means the person(s) whose name is written on the trading permit issued by the Shire of Ashburton.

Location and Siting in Shire of Ashburton Public Spaces

Trade by Mobile Food Vehicles is only permitted in the locations allocated by the Shire and detailed on the Permit. Alternative locations may be considered if they meet the objectives of these guidelines.

The approved locations for Mobile Food Traders are outlined below:



Open Trading Zone



Open Trading Zone - Invited

Keys will be required to access green zones from the Shire. This will help the Shire to police the green zones.



Events - Bays to be marked and numbered

More detailed mapping required for event bays.

Tom Price Trading Zones



Open Trading Zone -
Community Centre
Carpark



Open Trading Zone -
Village Green Carpark

Open Trading Zone -
Softball Oval



Open Trading Zone -
Vic Hayton Memorial
Swimming Pool

Open Trading Zone -
Clem Thompson
Oval



Open Trading Zone -
Area W Oval

Open Trading Zone -
Area W Courts



Open Trading Zone -
Tourist Information
Bay

Open Trading Zone -
Dog Park



Invited Trading Zone
- Soccer Field (Clem
Thompson Oval)

Invited Trading Zone
- Softball Oval
(Diamond Club)



Events - Village
Green (bays to be
marked and
numbered)

Events - Clem
Thompson Oval
(bays to be marked
and numbered)



Events - Skate Park
(bays to be marked
and numbered)

Paraburdoo Trading Zones



Open Trading Zone - Peter Sutherland Oval



Open Trading Zone - Shopping Precinct

Open Trading Zone -
Shopping Precinct
(rear carpark)



Invited Trading Zone
- Peter Sutherland
Oval

Invited Trading Zone
- Peter Sutherland
Oval





Events - Peter Sutherland Oval
(bays to be marked and numbered)

Events - Peter Sutherland Oval
(bays to be marked and numbered)



Onslow Trading Zones



Open Trading Zone -
Onslow Foreshore



Open Trading Zone -
Visitors Centre

Open Trading Zone -
Thalanyji Oval



Open Trading Zone -
Skate Park

Events - Thalanyji
Oval (bays to be
marked and
numbered)



Events -
Multipurpose Centre
(bays to be marked
and numbered)

Pannawonica Trading Zones



Open Trading Zone -
Pannawonica
Shopping Precinct



Invited Trading and Events
Zone - Pannawonica Oval
(bays to be marked and
numbered)



Office Hours

Monday to Friday
8.00am – 4.30pm

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