



Mobile Food Vendor Permit Application Form

Please use this form to apply to Council for a mobile food vendor permit
This form relates to Policy 3.11 – Mobile Food Vendors and Locations Rules - Mobile Food Vendors

I/We
(hereinafter called "the Permit Holder")

Of
(Address)

hereby make application for a Permit to use a portion of public land described herein for business purposes pursuant to Section 222 of the Local Government Act 1999, as amended in accordance with the information described below.

Location of land as set out in Councils Mobile Food Vendor Location Rules
.....
(hereinafter called "the defined area")

Proposed use of land
(NATURE OF BUSINESS/EVENT: e.g. Ice-cream, Drink, Take-away Food)

Vehicle registration and description (includes towing vehicle)
.....

Name of registered business if applicable.....

THE APPLICANT HEREBY AGREES THAT THE APPLICANT SHALL:

- A. Comply with the general conditions of the Permit as contained herein;
- B. Comply with any special conditions which the Council determines and attaches hereto;
- C. Comply with conditions prescribed in Section 222 of the Local Government Act 1999, as amended.

GENERAL 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.

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1	11/12/2018	Council	Folio 7997; Item 15.3.3	December 2022
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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.
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. Council provided rubbish bins may not be used by the Permit Holder for the disposal of waste or litter.
10. The licensee shall take out and keep current a public risk insurance policy for the minimum sum of ten million dollars (\$10,000,000) insuring the licensee against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against the Council or the licensee or both in relation to the use of the defined area. 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.
 - 12.1. 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

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receiving notice of the cancellation. A failure to provide notice may result in a penalty of up to \$500.

13. This permit is personal to the Permit Holder and may only be transferred with the prior written approval of the Council.
14. 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.
15. 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.
16. The Licensee agrees to indemnify and to keep indemnified and to hold harmless the Council, its servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the granting of such Permit or by reason of the use of or access to the defined area.
17. The licensee shall not transfer, sub-Permit, mortgage or deal with its rights under this Permit in any way whatsoever.
18. The licensee shall maintain in a safe condition all land or other additions effected pursuant to the granting of this Permit and will not take any action that will or is likely to cause degradation of the land subject to the Permit or any nearby land. The licensee is to observe any reasonable direction given by Council in relation to the protection of such areas.
19. No seating, tables or other structures may be erected on the site.

PERMIT FEES

The Permit fee shall be: \$2,000 per annum **or** \$200 per month **(circle permit sought)**

SPECIAL CONDITIONS

1. Copy of current cover note or similar in relation to your Public Liability Policy to be supplied with the Application.

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Signed by the Applicant

In making this application, I/we acknowledge that I/we have read, understand and agree to be bound by the Conditions of the Authorisation and declare that the particulars provided by me/us with regard to the Proposed Use are true and accurate.

Name:

Signature:

Phone:

E-mail:

Dated the day of

Signed by or on behalf of Wattle Range Council

Name:

Position:

Signature:

Council Authorisation

Insurance Yes/No Permit Approved/Denied Fee: \$

Signed: Dated:

Form to be retained on relevant file.

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