

CITY OF BELMONT

# Mobile Food Trader Guidelines

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**City of Belmont**

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# Objectives

To allow outdoor food trading activities in a manner that improves the access, usage, quality and image of the City of Belmont'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 Traders within the City of Belmont.
- Encourage Mobile Food Traders to operate in locations which support the activation of public spaces.
- Ensure Mobile Food Traders operate in a way which complements existing food businesses in commercial areas.
- Ensure Mobile Food Traders do not unreasonably compromise the amenity of the surrounding residential area.
- Ensure Mobile Food Traders 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*.

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

## I. 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 City 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.
- 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 Traders

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

- 2.1 Hold a valid City of Belmont 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 City.
- 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.
- 2.7 The trader must also apply for a Trader's Permit in terms of the *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law*.
- 2.8 A Mobile Food Trader wishing to operate on land outside of the locations illustrated in the appendix shall liaise with the City of Belmont Planning Department to determine whether a development application is required.

## 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 such as 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 such as 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 Traders must not remain on site when not trading.
- 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 Traders 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 assigned levels of the *Environmental Protection (Noise) Regulations 1997*. Should justified complaints be received, or in the opinion of a City Officer that any noise emissions are deemed excessive, the trader will be required to reduce emissions to compliant levels.
- 4.10 When a City coordinated event or an approved community event is being held at a specific location, any permits issued for that location 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. Insurance

- 5.1 Mobile Food Trader Permit Holders are required to maintain public liability insurance cover in the amount of \$20 Million or greater. The policy must cover activity carried out under this Permit.

## 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 current photographs of your Mobile Food Vehicle.
- 6.3 Include a current copy of Public Liability Insurance 'Certificate of Currency' for the amount of \$20,000,000.
- 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 City of Belmont.
- 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 City 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 City strongly encourages traders to offer healthy alternatives.
  - 7.2.3 The minimisation of packaging and single use disposables where possible. If unavoidable, the City 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 City's Fees and Charges for the relevant financial year.

## 9. Permit Monitoring and Cancellation

- 9.1 The City's Authorised Officers may conduct unannounced inspections of vans to determine compliance with the relevant legislation.
- 9.2 A Permit may be cancelled or amended if the Permit Holder fails to comply with Permit conditions.

# 10. General Location and Siting Requirements

- 10.1 The City 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 City reserves the right to approve additional Mobile Food Traders 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 City 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.

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

**Permit Holder** means the person(s) whose name is written on the trading permit issued by the City of Belmont.



# Appendix

## Location And Siting In City of Belmont Public Spaces

Trade by Mobile Food Traders is only permitted in the locations allocated by the City 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:

### Wilson Park, Rivervale



- Permitted areas indicated in yellow only.
- This location can only be used between 7am – 9pm.
- This site may not be available on occasions due to activities conducted by the Belmont Netball Association.
- Trading hours during sporting club games are subject to the arrangement made between the Mobile Food Trader and the Netball Association committee and approved by the City.
- 'A' frame signage can be placed along the verge for the duration of the trading period.
- Maximum number of 10 Mobile Food Traders allowed at any one time on the grassed area (denoted as area 'A').
- Maximum number of 5 Mobile Food Traders allowed at any one time next to the change rooms and perimeter above the sump area (denoted as area 'B').
- Only vehicles with a maximum weight of 2 tonnes will be permitted on the site.
- Wet areas must be avoided to prevent turf damage
- Any damage caused by a Mobile Food Trader's vehicle will be repaired at the cost of the mobile food trader as per the City's Fees and Charges.
- Mobile Food Traders must not block any vehicle access points.



## Hardey Park



- Permitted areas indicated in yellow only.
- This location can only be used between 5am – 9pm
- 'A' frame signage can be placed within the boundary of the reserve for the duration of the trading period.
- Maximum number of 2 Mobile Food Traders allowed at any one time in the area.
- Only vehicles with a maximum weight of 2 tonnes will be permitted on the site.
- Any damage caused by a mobile food trader's vehicle will be repaired at the cost of the mobile food trader as per the City's Fees and Charges.
- Mobile Food Traders must not block any vehicle access points.

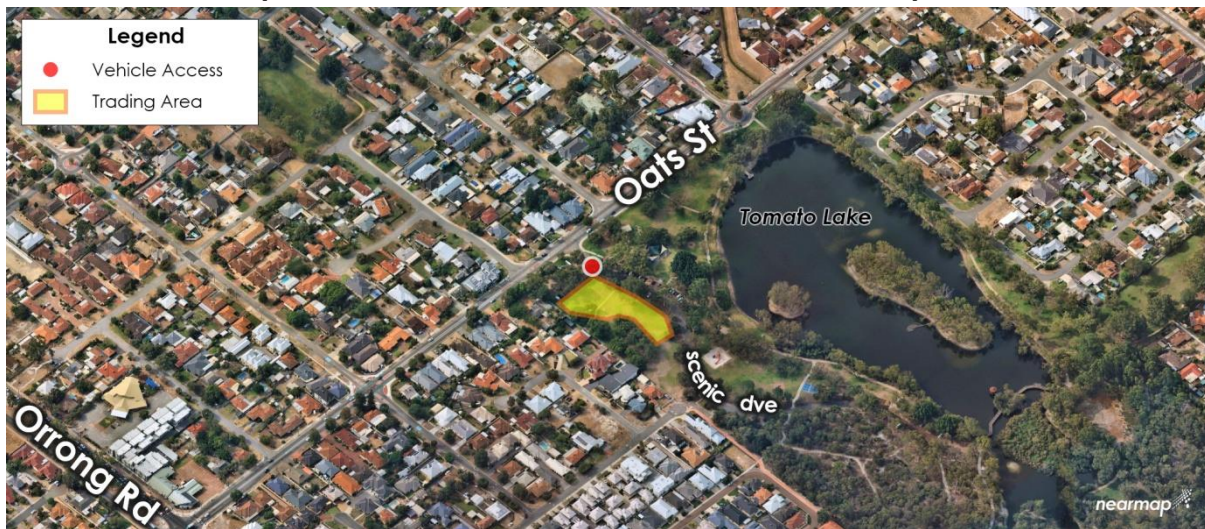
## Belmont Skate Park



- Permitted area indicated in yellow only.
- This location can only be used between 6am – 9pm.
- 'A' frame signage can be placed along the verge for the duration of the trading period.
- Maximum number of 7 Mobile Food Traders allowed at any one time.
- Only vehicles with a maximum weight of 2 tonnes will be permitted on the site.
- Wet areas must be avoided to prevent turf damage.
- Any damage caused by a mobile food trader's vehicle will be repaired at the cost of the mobile food trader as per the City's Fees and Charges.
- Mobile Food Traders must not block any vehicle access points.



## Tomato Lake (Corner Oats Street and Scenic Drive)



- Permitted area indicated in yellow only (grassed area next to the old toilet block).
- This location can only be used between 6am - 9pm.
- 'A' frame signage can be placed along the verge for the duration of the trading period.
- Maximum number of 3 Mobile Food Traders allowed at any one time.
- Only vehicles with a maximum weight of 2 tonnes will be permitted on the site.
- Any damage caused by a mobile food trader's vehicle will be repaired at the cost of the mobile food trader as per the City's Fees and Charges.
- Mobile Food Traders must not block any vehicle access points.

### Tomato Lake (Oats Street side next to Kambalda Way)



- Permitted area indicated in yellow only (grassed area next to the cafe).
- This location can only be used between 6pm - 9pm.
- 'A' frame signage can be placed along the verge for the duration of the trading period.
- Maximum number of 3 Mobile Food Traders allowed at any one time.
- Only vehicles with a maximum weight of 2 tonnes will be permitted on the site.
- Any damage caused by a mobile food trader's vehicle will be repaired at the cost of the mobile food trader as per the City's Fees and Charges.
- Mobile Food Traders must not block any vehicle access points

## Location and Siting In City of Belmont Parks and Reserves

By permitting traders to operate in parks and reserves with sporting clubs, it is hoped they will contribute to the attendees' enjoyment of the event. The City recognises that some sporting clubs are reliant on fundraising generated through volunteer run canteens during the sporting season. The City therefore requires that Mobile Food Traders obtain a written letter of endorsement from the relevant sporting club committee if they wish to trade during sporting club hours. The letter of endorsement must be obtained each season and detail the arrangement and expectations of both the Mobile Food Trader and the sporting club.

It is the responsibility of the Mobile Food Trader to contact the sporting club to determine if there are coinciding games with the intended trading time. If games are coinciding, it is the responsibility of the Mobile Food Trader to obtain a written letter of endorsement.




In addition to obtaining written approval from the relevant sporting club(s), to arrange access to the following parks, Mobile Food Traders are required to contact the City's Rangers.

The City's priority is for Mobile Food Traders to park in designated parking bays or hardstand areas rather than the reserves where possible. The areas shown in yellow on the following aerial maps are indicative of the most suitable locations. For safety reasons Mobile Food Traders must not trade in open playing fields and must maintain a 5 metre exclusion zone from the boundary of the playing field.

In order to avoid damage to the playing field, Mobile Food Traders must not drive through any reserves. Mobile Food Traders are permitted to drive along the peripheries of the park if the access points of the reserve are a long distance from the indicated area of trading. Collection of gate keys to the access points shown in red must be prearranged with the City.

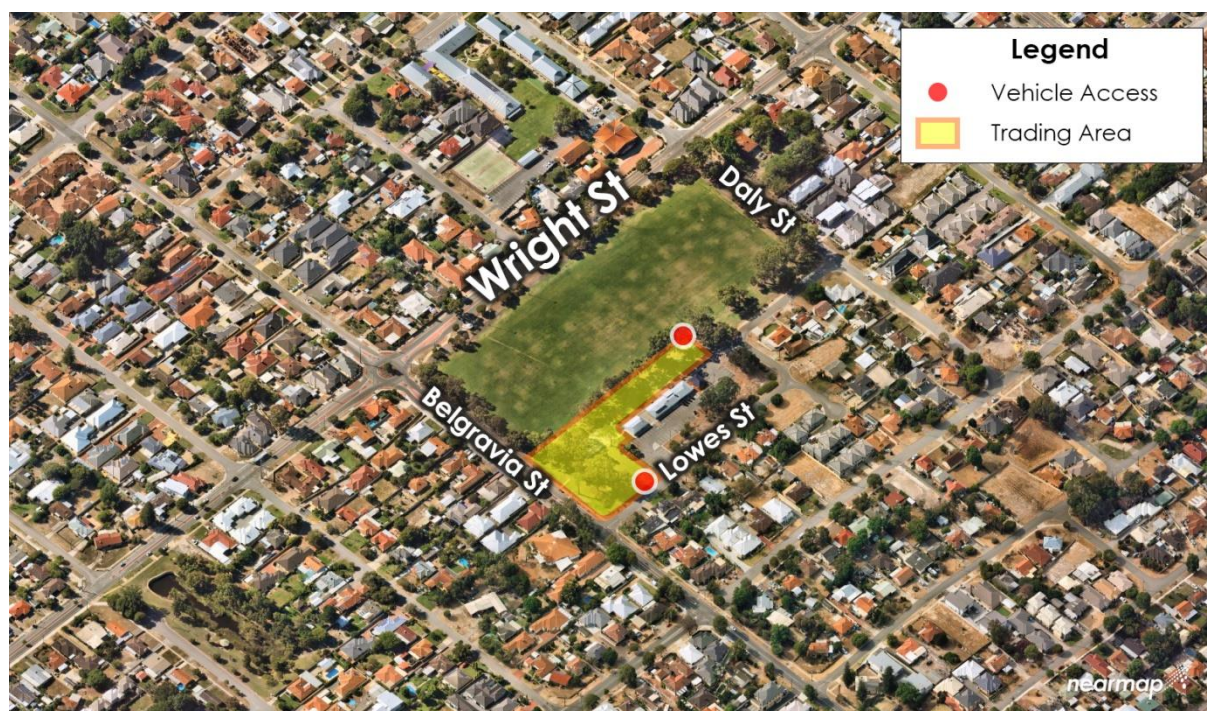
The approved active reserve locations for Mobile Food Traders are outlined below:

Please refer to the legend for the maps below:

-  Trading Zone Area
-  Gated Vehicle Access Points (keys are required for access)
-  Wet areas (must be avoided)



## Miles Park



- Permitted areas indicated in yellow only.
- Trading hours during sporting club games are subject to the arrangement made between the Mobile Food Trader and sporting club committee and approved by the City.
- Miles Park remains an ongoing trading location outside of the sporting club's approved booking times and therefore traders will not require a letter of endorsement to trade at other times at this location (enquire at sporting clubs for game schedules).
- Maximum number of 3 Mobile Food Traders (In yellow area).
- Wet areas must be avoided to prevent turf damage.
- Any damage caused by a mobile food trader's vehicle will be repaired at the cost of the Mobile Food Trader as per the City's fees and charges.
- Mobile Food Traders must not block any vehicle access points.

## Middleton Park



- Permitted areas indicated in yellow only.
- Trading hours during sporting club games are subject to the arrangement made between the Mobile Food Trader and sporting club committee and approved by the City.
- Middleton Park remains an ongoing trading location outside of the sporting club's approved booking times and therefore traders will not require a letter of endorsement to trade at other times at this location (enquire at sporting clubs for game schedules).
- Maximum number of 2 Mobile Food Traders (in yellow area).
- Wet areas must be avoided to prevent turf damages.
- Any damage caused by a mobile food trader's vehicle will be repaired at the cost of the Mobile Food Trader as per the City's fees and charges.
- Mobile Food Traders must not drive through the playing field to access the indicated yellow area.
- Mobile Food Traders must not block any vehicle access points.



## Peet Park



- Permitted areas indicated in yellow only.
- Trading hours during sporting club games are subject to the arrangement made between the Mobile Food Trader and sporting club committee and approved by the City.
- Peet Park remains an ongoing trading location outside of the sporting club's approved booking times and therefore traders will not require a letter of endorsement to trade at other times at this location (enquire at sporting clubs for game schedules).
- Maximum number of 2 Mobile Food Traders (In yellow area).
- Wet areas must be avoided to prevent turf damages.
- Any turf damage caused by a mobile food trader's vehicle will be repaired at the cost of the mobile food trader as per the City's fees and charges.
- Mobile Food Traders must not drive through the playing field and must follow the correct route to the indicated yellow area.
- Mobile Food Traders must not block any vehicle access points in the case that other Mobile Food Traders or vehicles need to access the reserve.

## Centenary Park



- Permitted areas indicated in yellow only.
- Zone A requires that trading hours during sporting club games are subject to the arrangement made between the Mobile Food Trader and sporting club committee and approved by the City.
- For Zone B Mobile Food Traders are not required to obtain a letter of endorsement from the sporting club.
- Centenary Park remains an ongoing trading location outside of the sporting club's approved booking times and therefore traders will not require a letter of endorsement to trade at other times at this location (enquire at sporting clubs for game schedules).
- Maximum number of 2 Mobile Food Traders in each zone (in yellow area).
- Wet areas must be avoided to prevent turf damages.
- Any turf damage caused by a mobile food trader's vehicle will be repaired at the cost of the mobile food trader as per the City's fees and charges.
- Mobile Food Traders must not drive through the playing field and must follow the correct route to the indicated yellow area.
- Mobile Food Traders must not block any vehicle access points.



## Forster Park



- Permitted areas indicated in yellow only.
- Trading hours during sporting club games are subject to the arrangement made between the Mobile Food Trader and sporting club committee and approved by the City.
- Forster Park remains an ongoing trading location outside of the sporting club's approved booking times and therefore traders will not require a letter of endorsement to trade at other times at this location (enquire at sporting clubs for game schedules).
- Maximum number of 4 Mobile Food Traders (in yellow area).
- Wet areas must be avoided to prevent turf damages
- Any turf damage caused by a mobile food trader's vehicle will be repaired at the cost of the mobile food trader as per the City's fees and charges.
- Mobile Food Traders must not drive through the playing field.
- Mobile Food Traders must not block any vehicle access points.

## Redcliffe Park



- Permitted areas indicated in yellow only.
- Trading hours during sporting club games are subject to the arrangement made between the Mobile Food Trader and sporting club committee and approved by the City.
- Redcliffe Park remains an ongoing trading location outside of the sporting club's approved booking times and therefore traders will not require a letter of endorsement to trade at other times at this location (enquire at sporting clubs for game schedules).
- Maximum number of 2 Mobile Food Traders in each zone (in yellow area).
- Wet areas must be avoided to prevent turf damages.
- Any turf damage caused by a mobile food trader's vehicle will be repaired at the cost of the Mobile Food Trader as per the City's fees and charges.
- Mobile Food Traders must not drive through the playing field and must follow the correct route to the indicated yellow area.
- Mobile Food Traders must not block any vehicle access points.