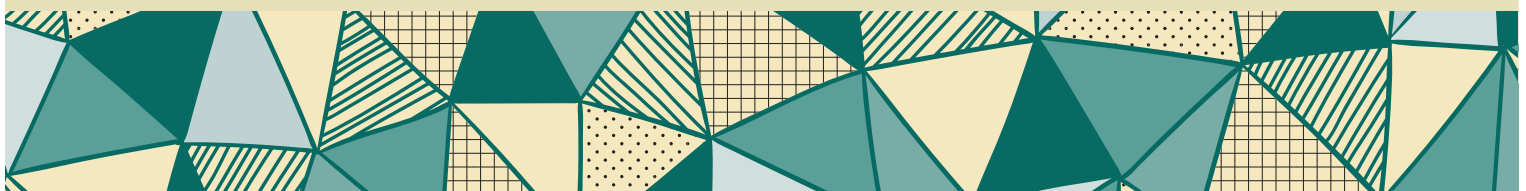




Street Eats



MAKING FOOD MOBILE IN MAITLAND
MOBILE FOOD VENDING GUIDELINES



INTRODUCTION

The Street Eats Program opens the doors to mobile food in public places. Now in its fourth year, the Street Eats program continues to grow and reinforce Maitland City Council's support for a vibrant and activated city.

Mobile food offers diverse food offerings, adds a unique experience in the public domain and supports greater opportunities for community connections across the city.

The program aims to:

- Encourage a diversity of food options and unique experiences.
- Activate the street and enhance public places, with a focus on underutilised public spaces.
- Support entrepreneurial activities to stimulate the local economy.

The program is guided by the **Mobile Food Vending Local Approvals Policy**.

Approvals for mobile food vending are guided by assessment considerations that support broader Council directions. Council would like to see operators demonstrating sustainable practices, presenting their vehicle in a vibrant and creative way, utilising local food and providing high quality offerings. Applicants are asked to respond to the following considerations wherever possible:

- **Quality product** – demonstrate how they provide a high quality, unique experience that is healthy, utilises wherever possible fresh/local produce and is affordable.
- **Competitive local business** – is located within the Hunter region, supports other associations within the region, and may be an innovative start up business.
- **Environmental and sustainability considerations** – demonstrates how local product and produce is sourced, has a low environmental impact (sustainable packaging and practices).
- **Creative and vibrant experience** – vehicle design is of high quality or creative design.



APPROVAL TYPES

Approved vendors will be granted approval for a 12 month period.

Three approval types are offered.

- **Street vending** – Applicants can nominate the time and day they would like to operate (abiding by the operating times and location in the table below), choosing from the sites listed in the Mobile Food in Public Places Policy. Individual sites are not available during the cluster site times. Some sites have specific requirements.
- **Cluster group vending** – A number of sites, listed in the Mobile Food in Public Places Policy, have been identified as ideal locations for groupings of mobile food vehicles.

Approved applicants will only be able to operate on the days and times scheduled as part of the Street Eats program. This Street Eats program will run from late July to late in 2023 and then from January to June 2024. Approved operators will be asked to nominate availability and preferences from the proposed schedule developed by Council. The number of operators permitted to operate will be limited and selected by Council.

- **Street vending and group vending** – This approval type is for vendors wishing to participate in both the street vending and cluster group vending program.



LOCATIONS

Council has recently adopted a new Mobile Food Policy, expanding the list of locations where mobile food vendors can operate. The current list of approved areas is specified in the Policy.

There are three approved types of trading locations and an online map of all locations can be found [here](#).

STREET TRADING

Approved mobile food vending vehicles can operate on Council owned roads in the areas specified in the Mobile Food in Public Places Policy. Mobile food vendors operating on Council owned roads must:

- Be located within existing lawful parking spaces.
- Comply with parking restrictions.
- Comply with relevant road rules.
- Not remain on the road overnight.
- Not impact on access to pedestrian ramps, pedestrian flow and footpaths.
- Ensure access remains to public street furniture including but not limited to tables, chairs, rubbish bins, drinking fountains, fire hydrants and post boxes.

Further conditions regulating permitted days and hours of operations and number of operators allowed at each site are contained in the Policy. Usage of any other locations not included in the Policy is subject to separate approval by Council officers.

Public car parking spaces are not able to be reserved and are subject to availability.

CLUSTER SITES

Cluster sites have been selected as ideal sites for multiple mobile food vending vehicles to operate in groups together. Operation on these sites can be undertaken in partnership with entertainment and decorative aspects, such as lighting if appropriate, to create a welcoming environment for the community to enjoy. Additional furniture, lighting and decorative elements will be permitted during approved operation time subject to prior approval.

Cluster site activities will be scheduled and promoted by Council as part of the Street Eats Program. Approved operators will have the opportunity to nominate their availability for a number of dates. Applicants will be required to nominate their preferred location and dates for operation based on selected dates distributed by Council at scheduled time points across the year. Successful applicants will only be able to operate on the days and times specified in their approval. Approval to operate on a number of dates may be issued.

Approved mobile food vending vehicles can trade on Council owned land specified in the Mobile Food in Public Places Policy. The sites listed may have specific conditions of consent and regulations regarding their usage.

COUNCIL SPORTSGROUNDS

Approved mobile food vending vehicles can operate at Council owned sportsgrounds, subject to agreement (in writing) by the club, group or individual licensed to use a facility. Mobile food vending vehicles may only operate during the time approved in the user's hire agreement with Maitland City Council.

It is the responsibility of the club, group or individual licensed to use the facility to seek approval from Maitland City Council to have mobile food vehicles trade as part of their conditions of hire / hire agreement.

GENERAL CONDITIONS

Mobile food vending vehicles participating in the program must agree to the following conditions.

- Applications for approval to operate a mobile food vending vehicle must be made on the approved Maitland City Council form and gain approval under Section 68 of the Local Government Act 1993, specifically: 7. Use a standing vehicle or article for the purpose of selling any article in a public place.
- All food businesses are required to sell safe and suitable food in accordance with the provisions of the NSW Food Act 2003. Copies of the Act (particularly Food Standards 3.1.1, 3.2.2 and 3.2.3) are available on the NSW Food Authority's website [here](#).
- Approved mobile food vending vehicles must hold a current Certificate of Currency Broadform Public and Products Liability insurance to the sum of \$20,000,000 and noting 'Maitland City Council' as an interested party. The insurance is to be valid for the entirety of the approval.
- Approved mobile food vending vehicles must hold a current Certificate of Currency of Third Party Property Damage Insurance to the value of \$20,000,000. The insurance is to be valid for the entirety of the approval.

ALL BUSINESSES MUST:

- Be registered and approved as part of Council's current mobile food program.
- Hold a current Maitland City Council approval to operate a Temporary Food Business or Mobile Food Vehicle (based within Maitland LGA) or,
- Have submitted a form for Notification of Temporary Food Business or Mobile Food Vehicle (based outside Maitland LGA).
- Applicants must comply with the national and state requirements for the construction and operation of food vending vehicles. Refer to Council's Food Safety Policy for specific details.
- Mobile food vending vehicles must arrive fully equipped at all trading locations and are not permitted to receive any deliveries on site during trading times.
- Approvals will be issued subject to conditions, including but not limited to compliance with the Policy and Mobile Food Program guidelines.
- All operators will be prohibited from serving and selling alcohol and cigarettes.
- Council reserves the right to revoke an operators approval at any time if it is deemed the operator is not complying with any elements of these guidelines.

SAFETY REQUIREMENTS FOR OPERATION

- Operators must not sell from their serving window onto any part of a roadway or cycle way to ensure safety of pedestrians.
- Any temporary furniture must be durable, sturdy and constructed for safe use. Any furniture must be set up within a reasonable distance from the vehicle.
- Any signage or temporary furniture must not be placed where they prevent access, pedestrian thoroughfare or may be perceived to be dangerous.
- Operators must ensure no fumes, noise, smoke, foul odours or any other contaminants are generated.
- Further details on these requirements are found within the NSW Food Authority Code for the Construction and Operation of Food Vending Vehicles.

WASTE MANAGEMENT REQUIREMENTS

Approved mobile food vendors operating are responsible for all waste materials generated.

- All waste produced must be removed from the site at the end of trading.
- The trading area is to be left clean and tidy.
- Under no circumstances is liquid waste to be discharged to the ground or in the stormwater drain.
- The use of recycled and biodegradable products is encouraged and operators are encouraged to recycle.

MANDATORY REQUIREMENTS

Failure to meet any of the mandatory requirements listed below will deem the applicant non-compliant and the application will not be considered.

- RMS Vehicle Registration (as proof of registration).
- Certificate of Currency Broad form Public and Products Liability insurance to the sum of \$20,000,000 and noting 'Maitland City Council' as an interested party. The insurance is to be valid for the entirety of the pilot program.
- Certificate of Currency of Third Party Property Damage Insurance to the value of \$20,000,000.
- Current Maitland City Council Approval to Operate a Temporary Food Business or mobile food vehicle (based within Maitland LGA) or a Notification of Temporary Food Business or Mobile Food Vehicle (based outside the Maitland LGA).
- Applicant must accept general terms and conditions and sign application form.
- Applicant must complete all details requested on the **application form**.
- Payment of all relevant fees and charges.

APPLICATION PROCESS

Applications for approval can be made at any time throughout the year.

Applicants must complete and submit a Street Eats Mobile Food Program Application form with all supporting documentation prior to final approval. Please note, the submission of an application does not guarantee a place in the Street Eats program. Supporting documentation must include:

- Copy of RMS Vehicle Registration (as proof of registration).
- A current certificate of Currency Broadform Public and Products Liability insurance to the sum of \$20,000,000, noting Council as an interested party.
- A current Certificate of Currency of Third Party Property Damage Insurance to the value of \$20,000,000.
- A current Maitland City Council Approval to Operate a Temporary Food Business (or evidence this is in progress).
- Images of set up and vehicle.
- Example menu (if not described in form).
- Completed application form.
- All applications should be emailed to the Place Activation team at Place.Activation@maitland.nsw.gov.au

For any questions relating to the program, please contact the Place Activation Officer on 02 4939 1065.



FEES AND CHARGES

Applicants will be notified in writing of the outcome of their application following assessment.

APPROVAL TYPE		ANNUAL FEE
1	Street Vending	\$330 inc GST
2	Cluster Group Vending	\$450 inc GST
3	Street Vending and Cluster Group Vending	\$680 inc GST
4	Council Managed Sportsground	Ad hoc basis

DEFINITIONS

Mobile food vending vehicle – A mobile food vending vehicle is any means of transport, whether self propelled or not or otherwise designed to be movable from place to place, and which is used for selling food.

The term is an inclusive term for food trucks and food vans. It includes vehicles used for onsite food preparation (e.g. hamburgers, hot dogs and kebabs), one step food or beverage preparation (e.g. popcorn, fairy floss, coffee and squeezing juices), and the sale of any type of food including pre-packaged food. It does not include food vending machines or food transport vehicles.

FOOD TRUCK – a vehicle used for onsite preparation and sale of hot and cold food and drinks. No menu restrictions and includes the service of food considered medium and high risk (according to the [NSW Department of Primary Industries Guidelines for Mobile Food Vending Vehicles](#)).

FOOD VAN – a vehicle used for the purpose of selling low risk and not potentially hazardous food and does not have a kitchen.

COUNCIL OWNED AND MANAGED ROADS – includes all of the land used for vehicular traffic, footways, shoulder, kerb and gutter.

COUNCIL SPORTSGROUND – includes all sporting grounds where an application for hire is applicable.

