

# Food Van General Terms and Conditions

In this permit:*“we”, “us”, “our” and “Council” refers to Melbourne City Council, “you” and “your” refers to the applicant/permit holder.*

## Compliance

* 1. You are required to comply, and are responsible for compliance by your employees, agents and contractors, with:
  2. the conditions of this permit
  3. [Food Act 1984](https://www.legislation.vic.gov.au/in-force/acts/food-act-1984/110)[[1]](#footnote-1)
  4. [Food Standards Australia New Zealand (FSANZ) Food Safety Standard 3.2.3 - Food Premises and Equipment](https://www.legislation.gov.au/Series/F2008B00577)[[2]](#footnote-2)
  5. [Foodtrader registration](https://streatrader.health.vic.gov.au/)[[3]](#footnote-3)
  6. our [Street Activity Policy 2011](https://www.melbourne.vic.gov.au/SiteCollectionDocuments/street-activity-policy-2011.pdf)[[4]](#footnote-4)
  7. our [Activities Local Law 2019](https://www.melbourne.vic.gov.au/about-council/governance-transparency/acts-local-laws/pages/local-laws-2019.aspx)[[5]](#footnote-5) and
  8. all other laws and Government orders.

## Specific conditions

* 1. The sale of food is only permitted from the registered food van, or mobile food vehicle, at the designated site.
  2. You must provide evidence of the current Vic Roads registration for your food van
  3. Street trading infrastructure must not be positioned on the footpath in such a manner that obstructs pedestrian flow.
  4. A Council delegate may within 24 hours of written notice suspend the permit and/or relocate the site. No claim shall be made for payment or compensation from us for, or in respect of, such suspension and/or relocation.
  5. No part of the operation, including the infrastructure, to be within five metres of any intersection or any other planned activity, event or street trading site.
  6. You may, on giving not less than 30 days’ notice in writing to us, request to terminate the permit or seek to vary the approved street trading site.
  7. You agree to pay to the City of Melbourne an agreed annual permit fee payable in advance by monthly instalments.
  8. No other vehicle or ancillary equipment shall be permitted on the street trading site.
  9. The food van shall only be operated within the delineated boundaries of the street trading site. The operation of the food van shall not interfere with vehicular access along the street, or with pedestrian access along the pathway adjacent to the street trading site.
  10. No merchandise or equipment shall protrude from the food van into any pathway, roadway, public area or thoroughfare.
  11. You shall not place any tables and/or chairs in or around the street trading site without first obtaining the written approval of the Council delegate.
  12. You shall not place any external power generator, generator fuel or flammable liquid on the ground surrounding the food van.
  13. You shall not display any form of advertising other than that illustrated in the approved expression of interest submission without the written approval of the Council delegate.
  14. Containers used for dispensing food from the food van shall be made of paper or cardboard based material that is environmentally safe and able to be recycled.
  15. The street trading site and surrounding pathway must be kept in a clean and tidy state during all times of operation.
  16. Before vacating the street trading site each day, you agree to remove all refuse from the street trading site and surrounding pathway.
  17. You must not dispose or permit to be disposed any sullage, foul water or liquid, grease, decomposed substance or any poisonous, noxious or offensive matter into any channel, gutter, drain or sewer, or on any street road, footpath or other land in contravention of any laws.
  18. You agree to provide to our satisfaction, no more than one month after the expiration of each year of the term of the permit, a written performance review report detailing for the previous year.
  19. You shall when vacating the street trading site leave the site in a clean and tidy condition suitable for another permit holder to immediately occupy the site.
  20. We shall have the right of access to the street trading site at all times.
  21. If you breach any of the conditions of this permit, we may do any one or more of the following, but is not limited to:

1. recover from you any moneys outstanding under the permit up to the expiry date; and
2. exercise any of the our other legal rights.
   1. Any notice or other document required to be given under the permit to you shall be served by being affixed to the food van at the street trading site or forwarded to the current address supplied by you.
   2. Any other condition the Council delegate sees fit.

## General conditions

* 1. You must ensure activities are carried out safely and in compliance with our [Activities Local Law 2019](https://www.melbourne.vic.gov.au/about-council/governance-transparency/acts-local-laws/pages/local-laws-2019.aspx) and this permit.
  2. Whererequired by us, you must maintain a comprehensive[public liability insurance policy meeting our requirements](https://www.melbourne.vic.gov.au/about-council/governance-transparency/policies-protocols/Pages/public-liability-insurance.aspx)[[6]](#footnote-6) for the duration of this permit.
  3. This permit is not transferable. It must be held on site and be produced on request by an authorised officer of Council or member of Victoria Police. You must comply promptly with any notices and instructions.
  4. Any variation required to a permit must be submitted to and approved by us in writing prior to any change or variation of activity.
  5. This permit does not exempt you from compliance with our Local Laws.
  6. All activities under this permit must be undertaken during the hours stated herein, or in accordance with a relevant out of hours permit.
  7. You are responsible for ensuring all permit details are correct as no refunds will be considered after the date of permit issue.
  8. We reserve the right to amend, suspend or cancel this permit at any time.
  9. The conditions of this permit are subject to change.

1. https://www.legislation.vic.gov.au/in-force/acts/food-act-1984/110 [↑](#footnote-ref-1)
2. https://www.legislation.gov.au/Series/F2008B00577 [↑](#footnote-ref-2)
3. https://streatrader.health.vic.gov.au/ [↑](#footnote-ref-3)
4. melbourne.vic.gov.au/SiteCollectionDocuments/street-activity-policy-2011.pdf [↑](#footnote-ref-4)
5. melbourne.vic.gov.au/about-council/governance-transparency/acts-local-laws/pages/local-laws-2019.aspx [↑](#footnote-ref-5)
6. melbourne.vic.gov.au/about-council/governance-transparency/policies-protocols/Pages/public-liability-insurance.aspx [↑](#footnote-ref-6)