

## **Approval for Mobile Food Vending Vehicles/Premises**

### Application Form: Part 1 Business Details

### 2020 / 2021

### Local Government Act 1993- section 68 NSW Food Act (2003) – s100

Mobile Food Vending Vehicle / Mobile Food Premises Application	Document E2020/86626 Approved Version 2, Jan 2021					
Part 1 – Application "Business Details"	Office Use Only					
Please Tick	Register No: 71					
1. <u>Business Type</u>	Receipt No:					
□ Mobile food vending vehicle <i>e.g. food/coffee van, trailer, truck</i>	Fee:					
A mobile food vending vehicle is any registerable vehicle that can be used on land that can either be self driven or be towed on public roads and is used in connection with the sale of food.	Date Received: Officer:					
□ Mobile food premises <i>e.g. food &amp; drink cart, bicycle</i>	Doc No:					
Mobile food premises are carts, bicycles or similar movable means of transport, whether self propelled or not and is used in connection with the sale of food that is located other than where the mobile food premises is stored when not in use.	Approvals are generally issued within 10 working days upon receipt of a properly made application. If you need help lodging your					
2. <u>Application Type</u>	application please contact Council on (02) 6626 7107 or pes@byron.nsw.gov.au.					
$\Box$ Applying for first time, including change of business ownership;						
□ Applying to reinstate a previously held approval that has expired with no changes;	If the application form is not completed correctly or is not accompanied by the necessary information, processing delays may					
3. <u>Location Type</u>	occur and the application may be returned to					
Will the mobile vehicle/cart be operating on private land?	you.					
□ No □ Yes If yes include written permission from the land owner.	Please use <b>Application Form Part 2: Layout Design and Details</b> to describe setup and the food types sold at the mobile food vehicle or premises.					
<b>Note:</b> Mobile food vehicles/carts operating on private land may be exempt from planning requirements. Food legislation & associated fees still apply.						
1 Field Deschause Dataile						
1. Food Business Details						
Business trading name of mobile food vending vehicle/premises:						
Food Business Registration number (for current approval holders):						
Address (if operating on private land):						
Contact Person for Business:						
Phone: Email:						
2. Applicant Details (e.g. individual/partnership/corporation)						
Who is making the application? Tick ONE						
<ul> <li>□ Individual(s) including Partnerships (Go to Part 3)</li> <li>□ Company / Incorporated Association (Go to Part 4)</li> <li>e.g. Pty/Ltd, Ltd, Inc.</li> </ul>						

3. Name of individual(s) making application Complete attachment 1 if multiple individuals														
Individ	lual 1				Indivi	dual 2								
🗆 Mr	□ Mrs	□ Miss		Other:	Mr	□ Mrs	□ Miss		Other:					
Last / F	amily nam	ie :			Last / Family name :									
First / C	Given name	e(s):			First /	Given nan	ne(s):							
Phone:			Mobile:		Phone	:		Mobile	:					
Busines	s Email:													
Business Postal Address: For service of legal documents														
ABN:														
				(Use attachment 1 for	additional	individuals)								
4. Co	mpany / I Ben's Buns P	ncorporat	ted Associ	ation details me or trust is not a legal en	tity									
		y / Incorpo												
		• <b>-</b>	14104 11350											
	red Addres where busin	ss: ess is register	red to receive	e legal										
		ASIC. A PO		be a										
registered	d office addr	ess for the b	usiness											
Postal A	Address (if	different fr	om above):											
Email:														
ABN / A	ACN:													
		pany / Inc 1 if multiple		d Association										
		nittee Mer			Direct	or / Com	mittee Mer	nber						
□ Mr	□ Mrs	□ Miss	□ Ms	Othore	□ Mr	□ Mrs	□ Miss	□ Ms	Othom					
				Other:					Other:					
Last / F	amily nam	ie :			Last / Family name :									
First / C	Given name	e(s):			First / Given name(s):									
Phone:		N	Aobile:		Phone	<u> </u>		Mobile:						
			(Use	attachment 1 for additiona	l directors	committee r	nembers)							
5. Fo	od Safety	Superviso	or (FSS)											
The Foo	od Act 2003	8 (NSW) red	quires certai	in food businesses to ha	ve at lea	st one train	ed Food Saf	ety Superv	isor (FSS).					
The FSS	S requireme	ent applies t	o food busi	nesses that process and	sell (prej	pare and se	rve) food tha	at is –						
•	ready-to-e	at												
:				temperature control) lier's original package.										

A FSS will require a certificate issued by the NSW Food Authority. For more information, please refer to - <u>http://www.foodauthority.nsw.gov.au/rp/fss-food-safety-supervisors</u>.

#### FSS certificate required?

#### Please tick

□ No - Business is exempt e.g. solely coffee vendor, selling packaged food or food that doesn't require temperature control, not for profit organisation.

□ Yes – Please complete details below and attach copy of certificate

□ Yes – FSS certificate not available yet (Please complete details below and provide the FSS certificate to Council within 30 days)

$\Box$ Mr	□ Mrs	□ Ms	□ Other	If you have more than one FSS, please use the additional details section in								
				Attachment 1 to supply name & contact information.								
First / Given name(s):				Last / Family name:								
Phone / Mobile:				E-mail:								
FSS Number (if available):			FSS Certificate Expiry Date (if available):									
				(Use attachment 1 for additional ESS)								
				(Use attachment 1 for additional FSS)								

### **Origin of Food**

Is food being prepared at a location other than the mobile food vehicle/premises?  $\Box$  Yes  $\square$  No

If yes, name and address of other premises: A copy of Registration Certificate or permit of approved kitchen must be supplied

#### 7. Charities

#### □ Charity & not for profit organisations (please tick if applicable)

If you are a charity or a not for profit business, a copy of your registration with the Australian Charities and Not For Profits Commission must accompany the form.

Charities and not-for-profits are exempt from many of the provisions contained within the Food Act 2003, but are still required to comply with the food safety standards.

Approval fees do not apply. However inspection fees may apply.

#### 8. **Application Lodgement and Fees**

#### FEES for mobile food vending vehicle/premises approvals 2020/21 financial year\* –

- Class 1 vendor (low risk food e.g. coffee/drinks outlet) i.
- Annual Class 2 vendor (medium to high risk food i.e. potentially hazardous food requiring temperature control ii.
  - Mobile food premises (e.g. cart, bicycle)
  - Mobile food vending vehicle (van, trailer) Mobile food vending vehicle (truck\*) \*Common 3 axle rigid trucks or above as prescribed by the

National Heavy Vehicle Mass and Dimensions Limits standard.

Charity & not for profit iii.

#### Note:

Prior to the issue of an approval, an inspection of the mobile food vending vehicle/premises is required. Inspections are conducted at the Council office in Mullumbimby. The assessing officer will make contact to arrange an inspection as part of the assessment of the application. Inspection fees apply.

Inspection fees charged separately - \$180 p/hour or \$104 minimum for half hour.

#### **Payment of application form**

- In person Cash, cheque, money order, EFTPOS, MasterCard or Visa. Present form to Council's Customer Service Centre between 8.30am and 4.30pm.
- By email – Please complete and return with "Authority for Credit Card Details" (Attachment 2) to pes@byron.nsw.gov.au.
- Mail – Enclose a cheque, "Authority for Credit Card Details" (Attachment 2) or money order payable to Byron Shire Council and mail to Byron Shire Council, PO Box 270, Mullumbimby NSW 2482.

\$390 per vehicle

\$500 per vehicle

\$180 per vehicle/premises

\*Fees are subject to change every financial year. Refer to Council's adopted fees and charges document.

Exempt

\$220 per vehicle

#### 9. Additional Information

- i. The approval fee for a mobile food vending vehicle or premises does not include inspection fees associated with the vehicle/premises. Inspection fees are invoiced separately and are charged in accordance with Council's adopted fees and charges.
- ii. Mobile food vending vehicles or premises that are operated on Council land or public spaces must hold a valid Certificate of Currency while the food business is operating that indemnifies Byron Shire Council as an interested party to \$20 million for potential public and product liability resulting from the conduct of the food business.
- iii. Other approvals may be required for the legal operation of the mobile food vending vehicle/premises. A mobile food vending vehicle/premises approval does not validate or replace the need to acquire other approvals associated with the running of the business.

#### 10. Declaration

#### I declare that:

- All information provided including that on any attachments, to the best of my knowledge, are true and correct<sup>1</sup>.

- I understand my obligations under the Local Government Act 1993<sup>2</sup> and the Food Act 2003<sup>3</sup> and have read the terms and conditions as stated in the application form.

- I understand that the issuing of the approval is subject to a satisfactory inspection.

- I understand that I am not approved to operate the food businesses until an approval has been issued and displayed on the mobile food vending vehicle/premises.

Signature:	Signature:
Full name:	Full name:
Date:	Date:

#### **Privacy statement:**

Your personal information is collected and recorded in accordance with the Privacy and Personal Information Protection Act 1998. Your information will not be given to any other person or agency unless you have given us permission or the disclosure is required by law.

- <sup>1</sup>Local Government Act 1993 s665 False or misleading information (1) A person who, in or in connection with an application under this Act, makes any statement that the person knows to be false or misleading in a material particular is guilty of an offence. Maximum penalty: 20 penalty units.

- <sup>2</sup> Local Government Act 1993 s98 Other conditions (1) An approval may be granted subject to a condition that a specified aspect of the activity that is ancillary to the core purpose of the activity is to be carried out to the satisfaction of the council or a person specified by the council (2) An approval is subject to any condition prescribed by the regulations as a condition of the approval.

- <sup>3</sup> Food Act 2003 s42 A person must not, in connection with a requirement or direction under this Act, provide any information or produce any document that the person knows is false or misleading in a material particular.

How to lodge your	- For email submission, send to pes@byron.nsw.gov.au
application	- For postal submission, send to PO Box 219, MULLUMBIMBY NSW 2482



### **Attachment 1**

### Directors / Members of the Management Committee or Food Safety Supervisor (FSS) Details

Additional information for individuals, directors or food safety supervisor (fss).

Individuals / Company Directors / Incorporated Association Management Committee Members / Food Safety Supervisor (FSS) Details										
Entity Type	Title	Surname	Given Name(s)	Contact No.						
<ul> <li>Individual</li> <li>Director of Company</li> <li>Committee Member</li> <li>FSS</li> </ul>										
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Checklist	Comments
Applicant and business details including contact	
information (ABN Lookup or CITEC transcript)	
Owners Consent if applicable	
Origin of Food Details incl. certificate if applicable	
Food Safety Supervisor Cert if applicable	
For charity or not for profit –	
Copy of registration with the Australian Charities	
and Not For Profits Commission	
For events on public land –	
Certificate of currency (insurance to \$20 million	
for public/product liability)	
Declaration signed	
Correct Payment of fee or Auth for credit card details	
Part 2 of application 'Design & Detail' if applicable	



## Attachment 2

# Authority for Credit Card Details

I charge the amount ind																re Co	unci	to	
Amount	\$																		
Contact Name																			
Address																			
Contact number																			
Alternative number																			
I wish to pay by		laste	rCar	d							Exp	iry d	late:						
		⁄isa									CCV	V co	de:						
Card Number					-					-					-				
I authorise a credit card fee of 0.42% to be added to the above amount																			
Name:					Signa	ature	:						Γ	Date:					