

Mobile Food Vending Operating Guidelines

4 August 2021

Administration

PARENT DOCUMENT: [Temporary Use of Public Space Policy](#)

PURPOSE

The City of Adelaide encourage and invite activities that are creative, safe, and complementary to the location in which they take place. This guideline implements Council's [Temporary Use of Public Space Policy](#) and the principles which guide the approach to how public space can be used and activated for business purposes.

The purpose of these operating guidelines is to set out the key criteria that needs to be met when applying for and operating under a Mobile Food Vending Permit.

OPERATION

APPLYING FOR A MOBILE FOOD VENDING PERMIT

All applications must include the following:

- A completed [Mobile Food Vending application form](#) which is available on the City of Adelaide website
- A detailed site plan showing your mobile food vehicle and proposed layout, including dimensions, service window, counter, power source etc.
- The size and weight dimensions of the vehicle.
- A current copy of the Certificate of Currency for Public and Product Liability Insurance to the value of \$20 million, which notes City of Adelaide as an interested party.
- Proof of notification of a food business with the Local Council where your vehicle is housed, or where most of the food preparation and food handling is occurring.
- Proof of trade waste approval with either the Local Council where your vehicle is housed or where most of the food preparation and food handling is occurring, or with SA water.

AMENITY AND APPEARANCE

A mobile food vending area shall relate to its surroundings, to protect and enhance the urban, heritage and streetscape appearance and character.

- A mobile food vending vehicle may be a van, truck, cart or bike. Stalls and marquees are not considered.
- The mobile food vending set up 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.
- Permanent fixtures and elements are not permitted
- Trees and other significant streetscape elements such as public art, benches, rubbish bins and bus shelters shall not be obstructed, covered, removed, damaged, relocated or modified because of a mobile food vending area operation.
- All advertising must be fixed to the food vehicle and not encroach on the public realm.

The City of Adelaide acknowledges the Kaurna people as the Traditional Owners of the Country where the city of Adelaide is situated, and pays its respect to Elders past, present and emerging.

The operator of a mobile food business is required to maintain the mobile food vending vehicle and the cleanliness of the public space from which they are trading from by ensuring:

- The mobile food vending vehicle is clean and in good repair at all times
- All rubbish and liquid waste are contained and removed from the public space at the end of trading and disposed of in accordance with regulations.

LOCATION RULES AND OPERATING HOURS

Mobile food vending is permitted in those streets, footpaths and Park Lands where there is adequate footpath space to accommodate it, while not compromising pedestrian access, safety or other street activities. Location conditions include:

- A minimum distance of 25 metres must be maintained from another fixed food business and/or mobile food vendor (unless written permission is obtained from the fixed food business)
- Exclusive use of an area is not permitted and areas are not able to be reserved.
- In the interests of building relationships, collaborating and attracting consumers to the City, mobile food vendors are encouraged to engage with adjacent businesses to notify of a proposed location and seek acceptance of a mobile vending operation.
- Mobile food vendors must alternate locations regularly; vendors may only attend prime locations once per week during standard lunch trade (11am-3pm), unless otherwise advised and agreed upon by Council.
 - Prime locations include Victoria Square, Hindmarsh Square and North Terrace (from King William-East Terrace)
 - Additionally, vendors may not trade in the same location for longer than 4 hours at any one time (not including set up and pack down)
- Mobile food vendors will be permitted to trade at prime locations more than once a week if trading on a weekend or weekday outside of standard lunch trade hours (11am-3pm).
- Vendors will only be permitted to setup 1.5 hours before lunch time trade (11am-3pm) in the City Squares to reduce the possibility of vendors reserving spaces.
- Trading in Park Lands (including City Squares) is permitted; however, vendors are advised they must ensure there is no conflict with scheduled events. Vendors may be required to relocate if scheduled events conflict with the trading location
- Provided a MFV has a current permit with CoA, the use of areas in the Park Lands which are under a Sporting Licence is permitted only with direct agreement from the licence holder. Contact details for the licence holders can be found [here](#).
- An operator of a food business may apply to the Small Business Commissioner for a review of the location rules if they feel they directly adversely affected by the location rules set by Council.

The following locations are not available for mobile food vending

The *Major Events Act 2013* facilitates the holding and conduct of major events in South Australia. It is the responsibility of each Mobile Food Vendor to stay up to date with all declared major event areas and ensure they do not sell or distribute in this area during the event. This information is updated on a regular basis and can be found here [under the Notices 1976+ section](#).

- Streets, roads and laneways with a footpath width of less than 3.2 metres
- King William Street (between North Terrace and the northern tip of Victoria Square/Tarntanyangga)

- National War Memorial on North Terrace (between King William Street and Kintore Avenue)
- Indigenous Cultural Marker on Recreation Plaza/Victoria Square/Tarntanyangga South (trading near the marker is available, you may not park/trade on top of the marker)
- Rundle Mall – Rundle Mall Management Authority may permit mobile food vending under a concession. You can find more about their concession program [here](#).
- Rundle Street
- Hindley Street
- Grote Street
- East Terrace (between North Terrace and Grenfell Street)
- Additional locations may be excluded from trading as notified by Council

PARKING CONDITIONS SPECIFIC TO TRUCKS AND CARAVANS

- The food truck or caravan must be parked in one legitimate parking space that is for 1 hour or more, parallel to the footpath. Permission will not be granted for any 15 or 30-minute parking space, nor loading zones, disabled parks, taxi ranks, bus stops, permit or residential permit parking or no stopping conditions.
- Parking fees are waived during operation for food trucks or caravans. A copy of the permit must be available at all times.
- The food truck or caravan must avoid encroachment on bike lanes at all times.
- Serving area to be from footpath-side of the vehicle only.
- Vehicle must not require external power or water connection and be self-sufficient.
- Parking for one towing vehicle may be permitted for a fee upon application.
- The towing vehicle must be parked in a legitimate parking space that is for 1 hour or more.
- The permit for towing vehicles must be clearly displayed and is valid only whilst the vendor is operating (including set up and pack down) and must not be directly next to the parking space where their trading van is set up.
 - If the towing vehicle permit is used outside of the vendors operating times parking fines may be issued and cannot be waived by administration.
- Vans and trucks must be of dimensions which enable them to easily park in a standard parking space of 2.3 metres wide and 6.0 metres long (as per *the Local Government (Parking) Regulations 1991*)
- If the van or truck is longer than a standard carpark vendors are only permitted in non-delineated car parks.
- If the van or truck is wider than a standard carpark vendors will not be permitted to trade from any car parks and may only utilise the Squares and Park Lands at the discretion of Council and the Council's Horticulture Team.

CONDITIONS SPECIFIC TO CARTS/BIKES ON THE FOOTPATH AND SMALLER VANS

- Smaller MFV vehicles may trade on the footpath of North Terrace (between Kintore Avenue and Frome Road).
- Smaller MFV Vehicles shall not exceed 2 tonnes in weight to ensure minimal impact on pavers and any underground infrastructure.
- Food vendors on the footpath must be setback 1.8 metres from building fronts, allowing clear pathways and not interfering with pedestrian movement.

- Food vendors on the footpath must be setback 0.6 metres from the kerb line, not interfering with opening of vehicle doors.
- Food vendors on the footpath cannot set up adjacent to bus zones, taxi zones and loading zones, designated disabled parking spaces or a roadway or footpath construction zone.
- Food vendors on the footpath must not require external power or water connection and be self-sufficient, unless otherwise agreed upon by Council.
- Larger MFV vehicles must meet the dimension/weight requirements to occupy any footpath.
- Parking for one towing vehicle may be permitted for a fee upon application.
- The towing vehicle must be parked in a legitimate parking space that is for 1 hour or more.
- The permit for towing vehicles must be clearly displayed and is valid only whilst the vendor is operating (including set up and pack down) and must not be directly next to the parking space where their trading van is set up.
 - If the towing vehicle permit is used outside of the vendors operating times parking fines may be issued and cannot be waived by administration.

CITY SQUARES, INCLUDING VICTORIA SQUARE / TARNTANYANGGA

- Up to six vans can trade in City Squares (Hindmarsh Square/Mukata, Victoria Square/Tarntanyangga, Light Square/Wauwi, Whitmore Square/Iparritya) at any one time
- Vendors will only be permitted to setup 1.5 hours before lunch time trade (11am-3pm) in the City Squares to reduce the possibility of vendors reserving spaces.
- Parking on hard surfaces is required when trading in City Squares.
- Food vendors are encouraged to trade on the Northern Plaza of Victoria Square/Tarntanyangga (Flinders Street end) and the Eastern Promenade.
- When necessary, CoA has the right to alter location guidelines or invite/deny specific food vendors to trade in Victoria Square/Tarntanyangga.

SAFETY

The following safety measures are required to be met.

- All permit holders are required to comply with all health and food safety aspects of the entire operation as contained in the *Food Act 2001* and *Food Safety Standards*.
- BBQs, grills and heat sources must be protected to prevent public access and accidental burning.
- Gas bottles, gas lines and firefighting equipment must comply with safety requirements recommended by the South Australian Metropolitan Fire Service.
- All electrical installations must comply and be fully tested to meet the current Australian Standard (AS/NZS 3000:2007/Amdt 1:2009).
- Generators must be compliant, make minimal noise so as not to create a local nuisance and be safely secured from the public's access at all times.
- Firefighting equipment must be provided by operators where cooking and heating appliances are used.

A permit holder operating a Mobile Food Vending business in the City of Adelaide will be required to meet a range of permit [conditions](#).

OTHER USEFUL DOCUMENTS

Related documents

- [Temporary Use of Public Space](#)

Relevant legislation

- Local Government Act 1999
- Local Government (General) Regulations 2013
- Local Government (Parking) Regulations 1991
- Food Act 2001
- Food Safety Standards
- Food Regulations 2017
- The Local Nuisance and Litter Control Act 2016
- The Local Nuisance and Litter Control Regulations 2017

GLOSSARY

Throughout this document, the below terms have been used and are defined as:

Mobile Food Vending: Utilisation of the public space to prepare and dispense food and drink products.

Business Purposes: Persons, partnership, organisations or corporations engaged in activity that benefits them.

ADMINISTRATIVE

As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe.

This Policy document will be reviewed every 3 years unless legislative or operational change occurs beforehand. The next review is required in 2024.

Review history:

Trim Reference	Authorising Body	Date/ Decision ID	Description of Edits
ACC2020/145358	Council	May 2013	Endorsement of the Mobile Food Operating Guidelines required for the new Mobile Food Program
ACC/2020/213732	CEO	5 March 2018	Changes required due to the implementation of new legislation under s 222 of the Local Government Act 1999
ACC2021/92786	CEO	4 August 2021	Minor adjustments made to reflect current processes as a result of the permit review.

Contact:

For further information contact the Regulatory Services Program

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