

Mobile Food Van Procurement Guidelines



2023–2024





Acknowledgement of Country

Frankston City Council acknowledges the Bunurong people of the Kulin Nation as the Traditional Custodians of the lands and waters in and around Frankston City, and value and recognise local Aboriginal and Torres Strait Islander cultures, heritage and connection to land as a proud part of a shared identity for Frankston City.

Council pays respect to Elders past and present and recognises their importance in maintaining knowledge, traditions and culture in our community.

Council also respectfully acknowledges the Bunurong Land Council as the Registered Aboriginal Party responsible for managing the Aboriginal cultural heritage of the land and waters where Frankston City Council is situated.

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Introduction

These Guidelines apply to all businesses who wish to operate a mobile food van for the sale of food and/or beverages on designated public land.

These Guidelines do not apply to mobile food vans on private land, markets, events or festivals.

Commercial mobile food vans activate public open space, offer an amazing variety of food and beverages and create vibrancy and a sense of place for the Frankston City community and its visitors.

Mobile food vans also play an important role in the local economy by encouraging new entrepreneurship, supporting local suppliers, increasing

employment opportunities, and stimulating tourism.

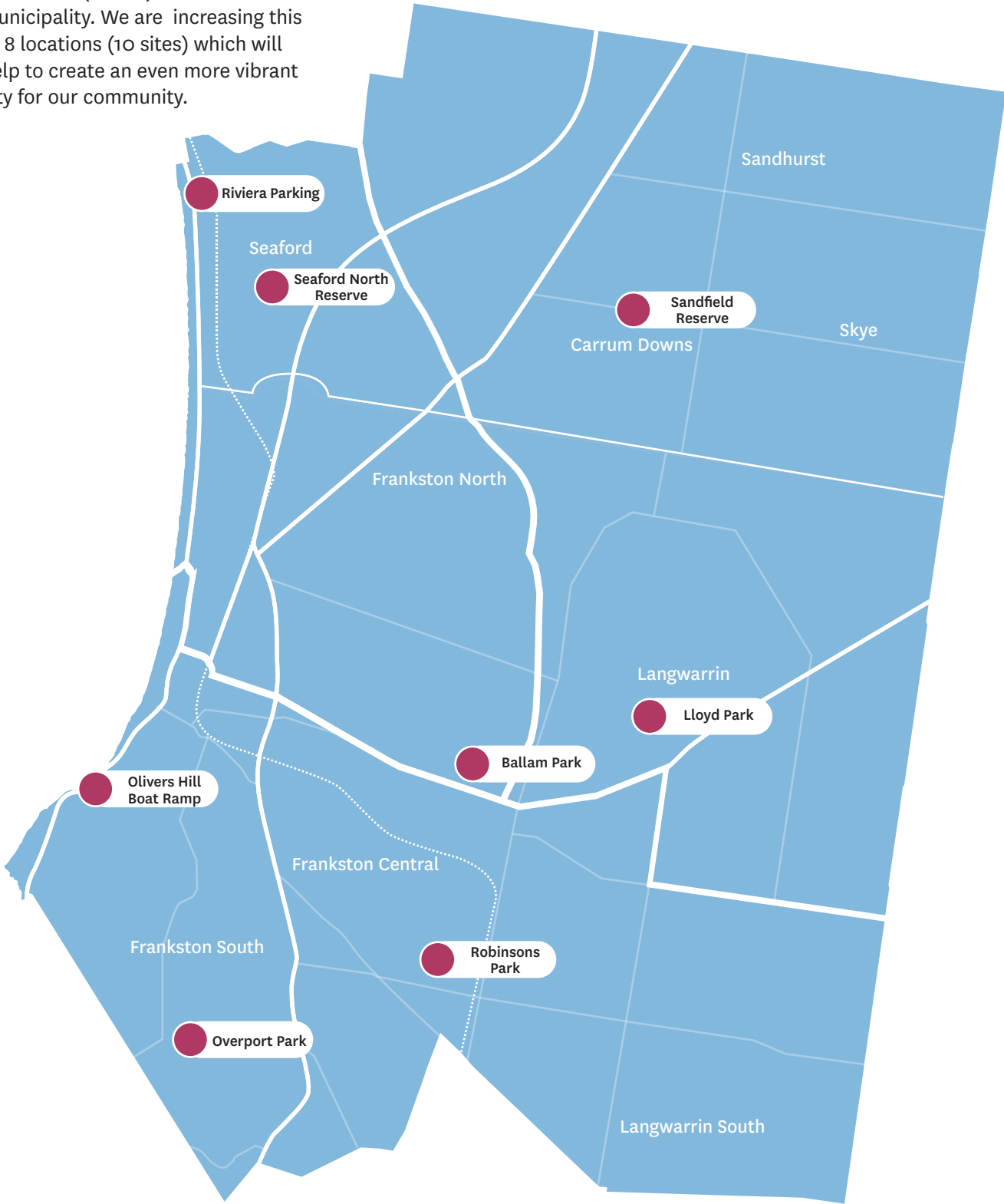
By providing a diverse range of sites and locations; a streamlined application process; clear and transparent assessment criteria; and set licence fees, these guidelines aim to attract and support high quality commercial operators to deliver regular, licenced mobile food van experiences in public open spaces across the municipality.

In addition to the regular licence opportunities included in these Guidelines, Frankston City Council supports mobile food van operators with commercial opportunities at festivals and events, markets, and

other locations. For more information on how Mobile food van operators can get involved in Council run events, visit frankston.vic.gov.au.

Site location map

Frankston City currently hosts 3 locations (5 sites) around the municipality. We are increasing this to 8 locations (10 sites) which will help to create an even more vibrant city for our community.



Oliver’s Hill Boat Ramp

Number of sites	2
Surface type	Hard
Power supplied	Yes
Water supplied	Yes
Toilets	Yes
Visitation	High
Availability	7 days per week
Fees	Level 1
Address	Nepean Highway, Frankston
Site Note	This is a 2 site location that can host more than 2 mobile food vans on a rotational basis.
Exclusions	None



Site 1: Car park close to Nepean Highway.
Site 2: Hard surface island near the boat ramp.

Overport Park

Number of sites	1
Surface type	Hard
Power supplied	No
Water supplied	Yes
Toilets	Yes
Visitation	Medium
Availability	7 days per week
Fees	Level 2
Address	159 Overport Road, Frankston South
Site Note	None
Exclusions	Operating days: Sunday–Friday only



Grass area at the end of carpark, corner Somerset Road and Overport Road.

Ballam Park

Number of sites	2
Surface type	Hard
Power supplied	No
Water supplied	Yes
Toilets	Yes
Visitation	High
Availability	7 days per week
Fees	Level 1
Address	260R Cranbourne Rd, Frankston
Site Note	Operator must have an internal generator
Exclusions	None



Site 1: Service road, Cranbourne Road.
Site 2: Side laneway.

Riviera Carpark

Number of sites	1
Surface type	Hard
Power supplied	Yes
Water supplied	No
Toilets	No (400m walk to Keast Park)
Visitation	Medium
Availability	7 days per week
Fees	Level 3
Address	Nepean Highway, Seaford
Site Note	Societa Isole Eolie — Annual Picnic usually held in February each year at Keast Park
Exclusions	None



Riviera Carpark inlet, beach side, Nepean Highway.

Lloyd Park

Number of sites	1
Surface type	Hard
Power supplied	No
Water supplied	No
Toilets	No
Visitation	Low–Medium
Availability	7 days per week
Fees	Level 3
Address	Pindara Boulevard (side)
Site Note	None
Exclusions	Operating days Monday–Friday only



First car park near the bend of Pindara Boulevard.

Seaford North Reserve Playground

Number of sites	1
Surface type	Hard/Grassy
Power supplied	No
Water supplied	No
Toilets	No
Visitation	Medium
Availability	7 days per week
Fees	Level 3
Address	50 Railway Parade, Seaford
Site Note	May be able to use Car Park, please specify in EOI
Exclusions	None



50 Railway Parade. Gravel or parking area near playground.

Robinsons Park

Number of sites	1
Surface type	Hard
Power supplied	No
Water supplied	Yes
Toilets	Yes
Visitation	Low–Medium
Availability	7 days per week
Fees	Level 3
Address	97 Robinsons Road, Frankston
Site Note	None
Exclusions	Operating days Monday–Friday until 4pm



First car park in the mid-section, near walk way off Robinsons Road.

Sandfield Reserve

Number of sites	1
Surface type	Hard
Power supplied	No
Water supplied	No
Toilets	No
Visitation	Low–Medium
Availability	7 days per week
Fees	Level 3
Address	49R Sandfield Drive, Frankston
Site Note	None
Exclusions	None



9th carpark on the left, Reserve side.



Application and assessment process

Timelines

Commencing October 2023, Council will conduct an Expression of Interest (EOI) process to issue licences spanning a 12 or 24 month period.

The next 12 or 24 month licence agreement period commence from 1 May 2024–30 April 2025.

Note: Operators with existing licences will be offered an extension at their current annual licence fee rate from 1 December 2023–30 April 2024 to allow for the re-alignment of this process and to ensure future licence transition periods are not carried out during the peak summer period.



Eligibility

All regular licence mobile food van Applicants MUST provide evidence of the following to be considered during the EOI procurement process:

- Food Trader registration with the Victorian government Department of Health (refer p.15 for further information)
- Not currently have outstanding debts with Frankston City Council

Assessment Criteria	Weight
Range of menu options (range of flavours, food/beverage types and/or dietary options suitable to the selected site/ location and proposed operational hours)	40%
Compliance with Food Safety Standards and adherence to Frankston City Council Mobile Food Van License Agreement (if applicable) (a business currently registered under the Food Act, 1984 and not currently published on the Department of Health <i>Food Safety Register of Convictions</i> and has met all previous licence conditions (if applicable) will score higher in this category)	25%
Ability to demonstrate environmentally sustainable practices (e.g. Recyclable packaging/ zero waste management plan. etc)	15%
Hours of site activation (proposed length of operational days/hours within site availability as per the suitability of the product offering)	10%
Locally registered business (business is registered via Food Trader within the municipal area) <i>Example: Food truck vehicle needs to be registered with Food Trader and garaged within Frankston City Council</i>	10%

Probity and Ethics

Council's procurement activities are performed in an open, transparent and ethical manner with demonstrated integrity, fairness and accountability that meets relevant legal requirements at all times. All Applicants must be treated fairly, with access to the same information to afford them an equal opportunity to participate in the EOI process.

Council will provide open and honest feedback to Applicants who participate in the EOI process, subject to confidentiality of Commercial In Confidence information.

Conflicts of Interest

When submitting its EOI, the Applicant must declare any actual or potential conflicts of interest which may arise between the Applicant and Council. All Council staff involved in the evaluation of EOIs must disclose any conflicts of interest in accordance with the relevant legislation and Council guidelines.

Lodgement of Submissions

Applicants will be required to complete and submit the Application Form (including any supporting documentation) to Council's Electronic E-Tendering system. This system is a locked system — the applications are not available for review by any party prior to the nominated Closing Time.

Evaluation Process

Applicants have the opportunity to apply for one or multiple sites. An evaluation will be conducted for each site based upon the evaluation criteria. The EOI documentation will set out the full process for the evaluation of applications.

The evaluation panel may determine not to fully evaluate any EOI if, in the opinion of the evaluation panel, the EOI does not adequately address or meet any of the evaluation criteria.

Respondents should ensure that sufficient information is included in their EOI to facilitate proper evaluation in accordance with the stated criteria.

Assessment Panel

Applications will be assessed internally by a cross-organisational group of Council Officers and may include:

- Senior Economy, Investment and Activation Officer
- Economy, Investment and Activation Officer
- Property Officer
- Safer Communities Officer
- Tourism/Events Officer

EOI Award

Council will award the Licences on the basis of the best quality and value for the community. In determining the best quality and value for the community, Council will have regard to the report prepared by the EOI evaluation panel and any other factors which it considers relevant.

The EOI evaluation panel will evaluate EOI's in accordance with evaluation criteria. Council reserves the right to exclude any non-conforming EOI from evaluation at any stage of the EOI process.

Preferred Applicants, based on the initial assessment, may be shortlisted. At any time during the evaluation process, Council may shortlist more than one Applicant. Any such shortlist shall be:

- Based on any of the Evaluation Criteria; and
- Undertaken where no benefit is derived from the evaluation of all of the EOI's received

Notification of application outcome

Council will be informed of successful applications and all Applicants will be notified in writing of the outcome of their application no less than 3 months prior to the commencement of the next licence period.

Required Documentation

Council will provide a written request to the 'preferred' Applicants to provide all required documentation including Public Liability Insurance for \$20M and vehicle insurance extended to include legal liability, prior to being issued a Licence Agreement as the 'successful' Applicant.

Form of Agreement

Successful Applicants will be offered a Licence Agreement. Licensees will be required to comply with the General Conditions as well as any other Special Conditions or Covenants as set out in the Licence Agreement for

the term of the licence.

Withdrawal of EOI Award or License Agreement by Applicant

In the case that an EOI Awardee or licence holder withdraws their application or from the agreement, that site will be offered via an Expression of Interest procurement process (as per these guidelines) with a prorata Licence Agreement and annual licence fee offered to the preferred Applicant for the remainder of the current licence cycle.

Identification of New Sites

New sites may be suggested by operators and/or the community at any time. Newly suggested sites will require a comprehensive council feasibility assessment prior to inclusion. In the case a new site is deemed suitable, it will be offered via an Expression of Interest procurement process with a pro-rata licence agreement and annual licence fee for the remainder of the current licence cycle.

Licence conditions

General Conditions (include but not limited to)

- Licence holders must comply with all relevant legislation and regulations such as the Food Act 1984, *Community Local Law 2020*, *Road Safety Rules 2017*, the Food Standards Code (under the Legislation Act 2003) and the Single-use Plastic ban (effective 1 Feb 2023) at all times
- Licences are for a 12 or 24 month period
- Licence holders must operate only within the specified site, size and space, as per the licence agreement
- Licence holders must provide a waste management/minimisation plan with their EOI application
- Licence holders are responsible for the management of patrons on site
- Any advertising materials or furniture not strictly within the specified site,

as per the licence agreement, must have a separate, approved Council permit

- Licence holders must operate only during the days and times of operation as per the licence agreement
- Licence agreements are non-transferable to any other party
- Licence holders must ensure the site and surrounding area is kept free of litter at all times
- Licence holders must ensure surrounding site vegetation is not harmed or damaged
- The sale or supply of alcohol is not permitted

Council Obligations

- Frankston City Council will maintain all mobile food van sites as per the condition, services and facilities outlined in these guidelines
- Frankston City Council will apply for all necessary permits/approvals from the Victorian government for commercial activities on Crown land prior to the issuance of licence agreements

Revoking of Licence Agreement

Council reserves the right to revoke any operator licence if any conditions in their individual licence agreement are breached. Refer to individual licence agreement for detailed conditions.





Fees

Site Licence Fees

Annual site licence fees are pre-determined by anticipated visitation rates and the onsite availability of power, water and/or public toilets.

Licence fees range from Level 1 to Level 3 with the aim of increasing commercial activity in public open spaces across the municipality; providing opportunities for new and emerging commercial operators; and trialling new mobile food van sites.

Fees are set for the duration of the licence agreement and reviewed prior to each EOI round.

Fee Inclusions

Where a site location stipulates that services such as power and water are supplied, these are provided to the licence holder at no cost as per the licence agreement.

2024–26 Licence Fees

Level 1	\$12,000	Availability: 7 days per week Utilities: Power, Water and Public toilets Visitation level: High
Level 2	\$7,000	Availability: Minimum 5 days per week Utilities: At least one of Power, Water, Public toilets Visitation level: Medium
Level 3*	\$3,000	Availability: Minimum 2 days per week Utilities: No Power, Water, Public toilets Visitation level: Low–Medium

* Level 3 — trial offered for 3, 6 and 12 months at pro-rata fee

Due to the addition of Level 3 sites, in the initial year, operators will only be able to apply for one period (either 3, 6 or 12 months) during that term. The option for short term periods for Level 3 sites will be reviewed annually.

Payment Terms

Licence holders will be issued with fee invoices quarterly.

All fees are required to be paid in advance.

Further information and support

Definitions

- “Applicant” is a business operator who has submitted an EOI but who has not yet been awarded a Licence Agreement
- “Council” means Frankston City Council
- “Crown land” is land owned by the State or Commonwealth Government. Crown land is usually set aside for a specific public purpose
- “FoodTrader” means the Victorian government Department of Health FoodTrader Registration process. Note: Mobile commercial operators are only required to register with FoodTrader with one council and are then permitted to trade across Victoria
- “Licence holder” means the business entity to whom the licence is issued

- “Mobile food van” is a mobile food premises and can include, but is not limited to vans, buses, trailers, carts and boats which are capable of movement from place to place for the Sale of food and/or beverages
- “Public open space” is land set aside for leisure and nature conservation including parks, gardens, reserves and waterways. It may also include public roads and carparks in the Frankston city municipality

Help with an Application

Frankston City Council’s Economy, Investment and Activation team can provide support to Applicants prior to the commencement of the Expression of Interest regular licence application process. Please contact us at business@frankston.vic.gov.au

Help Registering a Mobile Food Van

To register with the Victorian government Department of Health visit FoodTrader — foodtrader.vic.gov.au (health.vic.gov.au)

For further information including how to register and food van fit-out requirements, contact the Frankston City Council Business Concierge at businessconcierge@frankston.vic.gov.au

Guideline Review

These guidelines will be reviewed no later than 30 December 2024





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