





# Mobile shops

a guide for licensing mobile shops



## How to use this guide

-  We use this icon when you need to take extra care. The instructions with this icon will help you to understand whether you need to complete a particular section, or remind you not to miss out important details.
-  Sometimes we may ask you to send us documents, we don't need original documents but copies must be legible. We will make it clear by using this icon when you need to send us a document

## How to complete the attached application form

Use this guide to help you apply for a mobile shop licence and fill in the forms.

### READ ALL INSTRUCTIONS CAREFULLY

**Fill in this form yourself. If you cannot fill in this form yourself** because you have a disability or a language difficulty, someone else can fill in the form for you.

**Check you have answered all the questions on the forms that relate to you.** We can only process your application if you complete the form accurately and you include all required information. If you miss out any details we may need to contact you and there may be a delay in processing your application.

## What you need to complete an application

- Application form
- A copy of your Food Control Plan or National Programme Registration Certificate

## How to contact us



### Compliance Solutions

*Food premises, mobile shops, market stall and liquor/alcohol licencing*

Rotorua Lakes Council  
1061 Haupapa Street  
Private Bag 3029  
Rotorua Mail Centre  
Rotorua 3046, New Zealand  
P: 07 348 4199  
W: [www.rotorualakescouncil.nz](http://www.rotorualakescouncil.nz)  
E: [info@rotorualc.nz](mailto:info@rotorualc.nz)



# Mobile shops

Mobile food vehicles are a great way to take your food business on the road and be where the customers are.

Mobile food vehicles do not include food transport vehicles to deliver food for catering or food from a business to a retail premises for sale or for home delivery (for example, pizza delivery).

## Who needs a licence

A mobile food business that conducts the following activities requires a licence from Rotorua Lakes Council:

- preparing and selling food from a motor vehicle
- mobile coffee cart
- ice cream van
- pie van (smoko truck)
- mobile snack trucks
- mobile food trailers

Be aware that the type of mobile food vehicle you plan on utilising may influence the type of foods that you are restricted to provide from that vehicle. For example, a pie van (smoko truck), where food handling is occurring outside the van may be limited to the foods it can provide as there is a higher chance of contamination to food preparation surfaces.

For example, using a smoko van you may not be permitted to make sandwiches from the vehicle.

## Permitted locations and trading hours

### Trading hours

Mobile shops may trade between:

*1 April to 30 September - 9am to 5.30 pm*  
*1 October to 31 March - 8am to 7 pm*

No mobile shop shall remain stationary in any street for longer than 30 minutes other than in the permitted locations listed below.


### Restricted locations

- No business is carried out on to be any Reserve without written approval of the Rotorua Lakes Council.
- That on the grounds of likely traffic hazards, no trading is carried out within 150 metres of any CC1 (CBD) zoned area.

## Registrations and Licence duration


There is a two-step process in obtaining a mobile shop licence

**Step 1 –** Registering a Food Control Plan or National Programme with your businesses home council. For more information on the processes and procedures in registering Food Control Plans and National Programmes, please contact the council or visit the Ministry for Primary Industries website [www.mpi.govt.nz](http://www.mpi.govt.nz).

 As part of the application a copy of the Food Control Plan or National Programme registration certificate must be provided from the local authority or Ministry for Primary Industries.

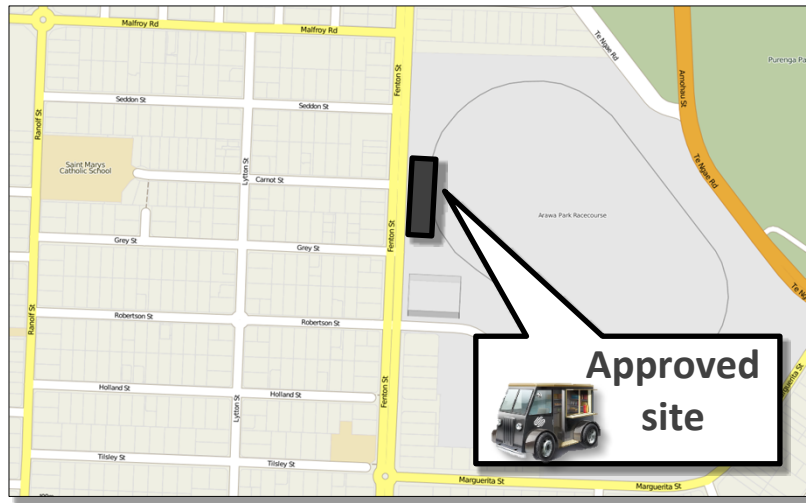
**Step 2 –** Obtaining a mobile shop licence. One off event, 6 month and 1 year licenses are available for mobile shops. However if you want to operate a business regularly, an annual licence is recommended for convenience. An annual licence requires only one application and fee to be made and you can operate your mobile shop a number of times in that year.

The mobile shop licence is renewable and although renewal notices are generally issued 30 days before expiry, it is the licence holders' responsibility to ensure the licence is current.

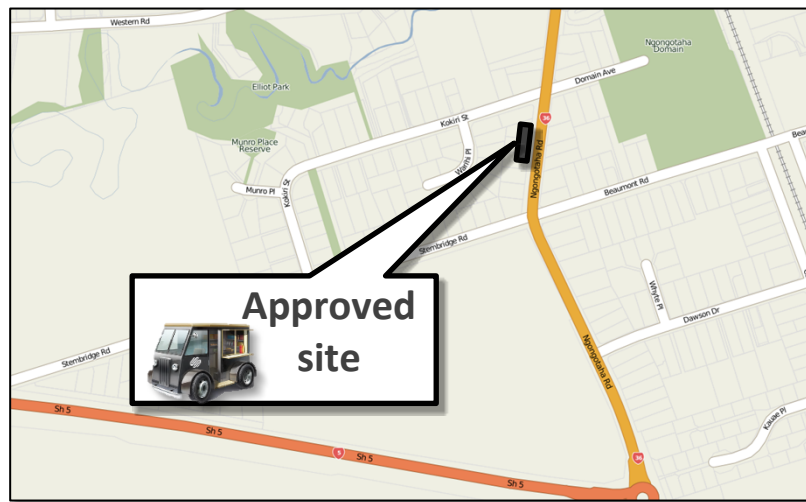
 **Note:** The licence covers one vehicle at a time. If you wish to operate several vehicles, an individual licence and/or event licence is needed for each mobile shop.

## Permitted locations

**Fenton Street - Between Carnot and Seddon Street – maximum of 4 traders**



**Ngongotaha Road Between 295 and the Ngongotaha fire station – maximum of 1 trader**



**Ranolf Street laybys Restricted sites for use by mobile coffee shop only – maximum of 1 trader per layby**

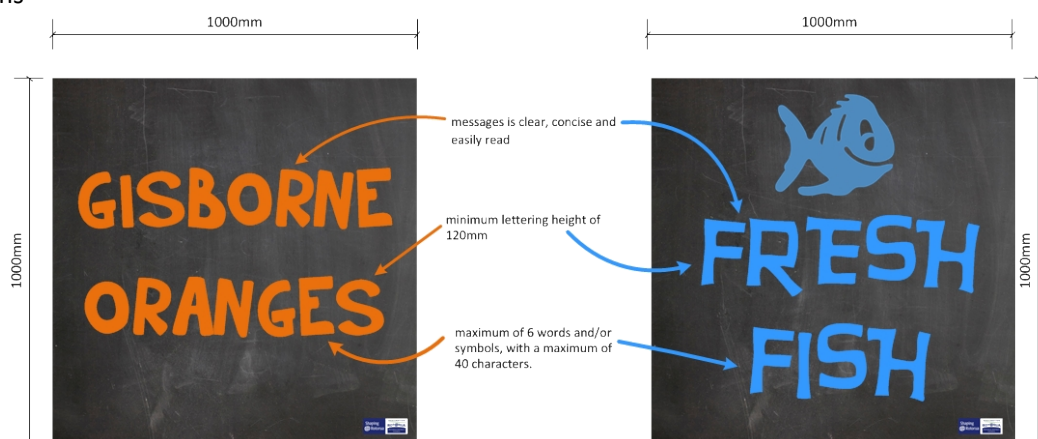


## Signage

NZ Transport Agency has published a number of requirements for displaying signs in Road Reserves and there are also rules set by council in relation to signs associated with mobile shops. These include:

- **All signs must be attached to the mobile shop**
- The maximum size for any sign is 1 square metre in area
- The maximum number of signs per vehicle is two with one facing in each direction.
- Signs should have messages that are clear, concise and easily read
- Signs should have a minimum lettering height of 120mm
- Signs should have a maximum of six words and/or symbols, with a maximum of 40 characters.
- Signs should use a colour combination for the background, wording and legend that are not similar to those used for any official road sign or traffic sign.
- Signs should not use reflective materials, internal or external illumination, or variable, flashing, rotating or animated parts

### Example signs



For more information on signage requirements, refer to NZ Transport Agency's website, Rotorua Lakes Council Signs on Roads Bylaw 2015 and the licence conditions.

## Minimum requirements

### Mobile shop construction

When designing and fitting out a mobile food vehicle, it must meet the required outcomes from the Food Act 2014, just as with a restaurant, takeaway food outlet or café.

For further information on the construction requirements and approval process, please refer to the Mobile Shop Design section below.

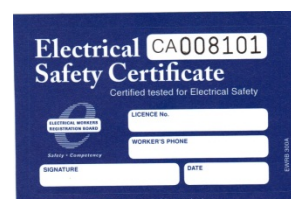
### Certification and licencing

Any gas or electrical installation on any vehicle must be professionally installed and certified by an authorised gas/electrical authority.

The vehicle must also be road worthy and have a current WOF, COF and licence.



As part of the application a copy of electrical and gas certificates must be provided.



### Other approvals

You may need to consider other approvals before you start trading. These approvals may include (but are not limited to):

- market organisers
- land owner or lease holder (if stopping on private land)
- a resource consent may be required for private land

## Need help?

Please call us if you need any assistance in complete this form or require clarification about obtaining a licence.

## Design construction and location

The design, construction and location of the place of food business must:

- be appropriate for the purpose for which they are used
- provide adequate space for the activities conducted in the food business and the fixtures, fittings and equipment used
- allow effective cleaning sanitising and maintenance of food business
- keep out dust, dirt, fumes smoke pests and other contaminants, and not provide harbourage of pests

## Size and layout

The mobile shop must be designed to ensure that the proposed food activity will operate safely.

Consideration should be given to the layout including the following:

- The design of the place enables the movement of staff, visitors and food in a way that prevents or manages the risk of contamination of food or food related accessories
- Adequate unobstructed floor space for workers is essential as it permits more functional operation and makes for easier cleaning.
- Sufficient bench space for food preparation, cooling and reheating
- A separation of areas to prevent cross contamination of food, such as cooked and uncooked food, storage of dry goods and delivery areas; kitchen, preparation and storage areas incorporating:
  - food store
  - wash up area
  - cooking and preparation area
  - dry preparation area
  - refrigeration / freezers
- Separate storage of chemicals / cleaning equipment
- Waste handling facilities and enclosure for storage and collection of rubbish, waste cooking oil and recyclable materials
- Fly screens on doors and windows may assist with the control of insects, birds and other food pests.

## Floors

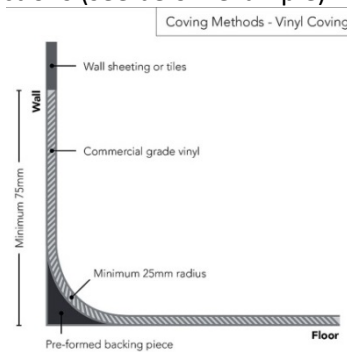
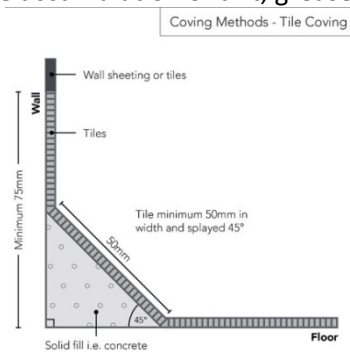
Floors must be designed and constructed in a way that is appropriate for the activities conducted on place of food business.

Floors must be:

- capable of being effectively cleaned
- unable to absorb grease, food particles or water
- free of water ponding
- where practicable be unable to provide harbourage for pests.

Also:

- the angle between walls and floor is recommended to be coved to assist with cleaning to prevent the accumulation of dirt, grease, etc., at the wall / floor junctions (see below example)



### **Walls and ceilings**

- designed and constructed in a way that is appropriate for the activities conducted on food premises and walk in cool room and freezer
- where it is necessary to protect food from contamination
- sealed to prevent the entry of dirt, dust and pests
- unable to absorb grease, food particles or water
- easily and effectively cleaned
- where practicable unable to provide vermin harbourage.

### **Water supply**

The food premise must have an adequate supply of potable water at a volume, pressure and temperature that is adequate for the purpose. A non-potable water supply can be used if it is demonstrated there will be no adverse effect on food safety.

The capacity of the water supply to the place of food business is adequate for the operations of the food business.

### **Hot water supply**

A hot water system will be required to achieve the necessary temperatures required to effectively wash and sanitise equipment, fixtures and premise. The hot water supply must be of appropriate temperature of sufficient capacity and with adequate temperature recovery to cope with the maximum needs of the food business.

### **Sewage and waste water disposal**

Food premises must have a sewage and waste water disposal system that:

- will effectively dispose of all sewage and waste water
- is constructed and located so that there is no likelihood of the sewage and waste water polluting the water supply or contaminating food
- depending on your food activity you may be required to install a grease trap or grease convertor.

For more information on grease traps, visit our website or phone 07 348 4199 to talk to a pollution control officer.

### **Lighting**

Food premises must have adequate lighting that gives sufficient natural or artificial light for all activities including cleaning. It is recommended that light fittings are to be provided with protective plastic covers or sleeves to prevent contamination of food with glass.

### **Ventilation**

Sufficient to maintain comfortable conditions for persons on the premises by preventing air from becoming excessively heated, by preventing condensation and excess moisture on floors, walls, and ceilings and to remove objectionable odours, fumes and impurities. If natural ventilation is not satisfactory mechanical ventilation is to be provided.

Mechanical extract ventilation is to cover all cooking equipment. The system (depending on the cooking process) may comprise a canopy enclosure, fan of sufficient capacity, grease filters, condensate channels and ducting to remove cooking vapours to the exterior of the premises. It is to discharge in a manner that will not create a nuisance.

### **Fixtures, fittings and equipment**

Fixtures, fittings and equipment must be:

- adequate for the production of safe and suitable food



- fit for their intended use

Fixtures, fittings and equipment must be designed, constructed, located and installed so that:

- there is no likelihood that they will cause food contamination
- they are able to be easily and effectively cleaned
- they are free from cracks and crevices
- adjacent floors, walls, ceilings and other surfaces are able to be easily and effectively cleaned
- they do not provide harbourage for pests to the extent that is practicable.

The food contact surfaces of fixtures, fittings and equipment must be:

- smooth, durable and free from cracks and crevices
- able to be easily and effectively cleaned and, if necessary, sanitised if there is a likelihood that they will cause food contamination
- unable to absorb grease, food particles and water if there is a likelihood that they will cause food contamination
- made of material that will not contaminate food
- moveable for easy cleaning, where equipment cannot be moved easily, clearance space must be provided so that the area surrounding and beneath can be cleaned without moving it
- shelving must be situated so that the floors and walls can be easily cleaned
- pipes, ducts, fitting and fixtures should be concealed in the wall, floor or ceiling.

All food temperature control equipment must be able to maintain the food product at the appropriate safe temperatures for the required period of time to ensure that the food is safe and does not cause food poisoning.

- Refrigerators should maintain a temperature of less than 5°C
- Freezer rooms and freezers should maintain a temperature of less than -18°C
- Warmers, bain-maries, should maintain food temperature above 60°C.

#### **Changing facilities / staff personal items / cleaning items**

Food premises must have adequate storage for cleaning materials and staff personal items that cannot be taken into work areas. Facilities for storing clothing and personal effects belonging to staff can be:

- change rooms
- lockers or cupboards in a change room
- enclosed cupboards dedicated for the storage of clothing and personal belongings located outside of the food preparation, food processing, food storage and utensil washing areas.

Facilities for storing chemicals, cleaning equipment, pest control chemicals and equipment must be stored in accordance with manufacturer's instructions, and in a way that does not adversely affect the safety or suitability of food. Opens for storage are:

- stored in room designated for that use
- enclosed cupboards dedicated for that use, located away from food preparation, food storage and display areas and not able to contaminate personal effects / clothing.

#### **Toilet accommodation**

The Building Act 2004 requires the provision of toilets facilities for staff, and it also requires the provision of toilet facilities for customers. Toilets are not to open directly into any areas where open food is handled, displayed or stored. Toilets must be provided in accordance with the Building Code. For further information visit our website or phone 07 348 4199 to speak to a building control officer.

#### **Wash hand basin**

Food premises must have an adequate number of hand wash basins with warm running water and supplies for hygienic cleaning, sanitising and drying of hands or another suitable means of cleaning, sanitising and drying hands.

Hand washing facilities should be located where they can be easily accessed by your staff.

### **Plumbing / sinks**

Food premises must have adequate facilities and appliances for cleaning and sanitising the premises, facilities, fixtures and appliances.

Consider your food activity and determine how you will eliminate the risk of cross contamination. Please note a wash hand basin is not considered a sink for these purposes and it recommended to be separate so that the food business can adequately meet the goal of hand hygiene as per the risk based measure.

It is recommended that you provide a sink for washing and preparing food, a sink for plate, crockery and cutlery pre-rinse / wash and a cleaner's sink for emptying / filling buckets used to clean large appliances, floors and toilets and for mop rinsing if applicable.

### **Dishwashers**

Where dishwashers are used they must be operated and serviced according to the manufacturer's instructions.

### **Storage of rubbish and recyclables**

The mobile shop must have facilities for the storage of garbage and recyclable matter that:

- adequately contain the volume and type of garbage and recyclable matter on the mobile shop
- enclose the garbage or recyclable matter, if this is necessary to keep pests and animals away from it
- are designed and constructed so that they may be easily and effectively cleaned.

# **Rotorua Lakes Council licence conditions for Mobile shops and food stalls**

1. At all times the licence shall be displayed in a prominent and public position at the premises (stall, mobile shop etc.)
2. That the provisions of the Food Act 2014 and any regulations thereunder are complied with.
3. That the provisions of the Transport Act, Transit New Zealand Act 1989, (Road User) Rules 2004 and any regulations or bylaws thereunder are complied with.
4. That on the grounds of likely traffic hazards, no trading is carried out in any streets within the Central Business District (CBD), generally bounded by Amohau Street, Ranolf Street, Whakaue Street, Rangiuru Street projected to the shore of Lake Rotorua, the shore of Lake Rotorua to the projection of Hinemaru Street.
5. That on the grounds of likely traffic hazards, no trading is carried out on the street, or road or on part of any street or road in the District within 150 metres of any area zoned CC1 under the Rotorua District Plan.
6. That, on the grounds of likely traffic hazards, no trading is carried out on any State Highway other than on sites specifically approved in writing or as may be allocated by the Licensing Officer in any particular case. There being a maximum of 4 traders on Fenton Street, and one trader at the Ngongotaha site at any one time and that the "Restricted Sites" (on Ranolf Street laybys) for mobile coffee shops to be used only 1 vehicle per layby.
7. For trading on other than a designated fixed sites listed above, the Licensee shall not stand or remain stationary in any street, except for such reasonable time as is required for the transaction of his/her business with any customer, and for no longer than 30 minutes in any one place. Individual sites or localities may not be visited or frequented on more than one occasion in any one day.
8. That the hours of trade authorised by the licence shall be 8.00 am to 7.00 pm Monday to Sunday from 1 October to 31 March and 9.00 am to 5.30 pm Monday to Sunday from 1 April to 30 September, excepting on those days when trading is specifically prohibited by any Act, Regulation or Bylaw. No mobile shop or mobile shopkeeper shall remain or encamp on or adjacent to any of the approved sites outside the authorised hours of trade.
9. No business is to be carried out on any Reserve in the District vested in or under the control of the Council, without the specific written approval of the Sports and Recreation Manager of the Rotorua Lakes Council.
10. Upon the request of any officer you may be required to alter the position or remove the stall, mobile shop from any street or public place.
11. All sales and displays shall be confined to the vehicle, mobile shop stall or thing. No tables, boxes, crates, produce, goods, shelter or structures or other items or things shall be placed, set up or arranged on the road, verge or public place.
12. Every person engaged in the sale of food shall comply with any further extra condition specified by a Licensing Officer.
13. Every licensed person shall carry with them at all times their current licence together with the conditions subject to which such licence was granted attached thereto, and shall produce the same on demand to any Constable and to any officer or servant of the Rotorua Lakes Council.
14. The conditions relating to any vehicle, mobile shop stall or thing its equipment, or any depot shall be fulfilled within the time stated by the Licensing Officer before a licence is issued. Any person engaged in the sale of food who fails to comply with any such requirement shall be guilty of an offence as prescribed in the Rotorua District General Bylaw should they continue to operate.
15. No roadside signs are permitted. All signs must be attached to the vehicle, mobile shop stall or thing. The maximum size for any sign is one (1) square metre in area. The maximum number of signs per vehicle is two (2) with one facing in each direction along the road.
16. Before using a temporary mobile shop, vehicle stall, thing or depot in place of the one that is approved by Council, the Compliance Solutions team at the Rotorua Lakes Council must first be notified in writing (includes email).

# Application for a mobile shop licence

## Preparing a mobile shop application

If you are preparing an application for a mobile shop licence, the following information will assist you to get your application right the first time.

Ensure your application is properly made and avoid common application problems that may cause delays.



## Incomplete and not properly made applications

If a mobile shop application is not properly made at the time of lodgment, it may be held by Council until it is considered to be properly made. If held, assessment will not begin until all the outstanding information has been supplied to Council.

In order for an application to be properly assessed and decided, Council may require additional information from you. In this case a request for further information may be issued and your application placed on hold, causing delay. This may require you to submit amended plans or additional information. If after 30 days the information has not been supplied, your design application or licence application will be considered withdrawn. Withdrawn applications can be resubmitted to Council and a new establishment fee will apply.



## Transferring the licence

It is not possible to transfer the existing licence to a new owner or operator. It is recommended that you contact council to discuss your options

## Changing contact details

You can email or phone council to change the postal address or contact details for your licence. Make sure to quote the licence number.

## More information

For further information phone Council on 07 348 4199 24 hours a day, seven days a week.

# Application Checklist

This checklist is designed to help you through the process of setting up your mobile shop.

If you start trading before your registration and license is approved by the Licensing team, then you will be in breach of Food Act 2014 and the Rotorua General Bylaw 2011. It is your responsibility to ensure you have all the approvals before you start trading.

The sequence of the checklist items indicate the general flow of events, but may vary in individual circumstances.



## Checklist

- You have checked Ministry for Primary Industries “where do I fit” tool?  
<https://www.mpi.govt.nz/food-safety/food-act-2014/where-do-i-fit/>
- Have you completed the mobile shop application form?
- Have you included a copy of your Food Control Plan or National Programme registration certificate?
- Have you included the applicable fee has been included with the application?

## Important contacts



### Compliance Solutions

*Food premises, liquor licencing, mobile shops & market stalls*

Rotorua Lakes Council  
1061 Haupapa Street  
Private Bag 3029  
Rotorua Mail Centre  
Rotorua 3046, New Zealand  
P: 07 348 4199  
W: [www.rotorualakescouncil.nz](http://www.rotorualakescouncil.nz)  
E: info@rotorualc.nz



### Water Planning (trade waste)

*Grease trap information*

Rotorua Lakes Council  
1061 Haupapa Street  
Private Bag 3029  
Rotorua Mail Centre  
Rotorua 3046, New Zealand  
P: 07 348 4199  
W: [www.rotorualakescouncil.nz](http://www.rotorualakescouncil.nz)  
E: info@rotorualc.nz



### Ministry for Primary Industries

*Food safety plans and general food safety information*

Ministry for Primary Industries  
Pastoral House  
25 The Terrace  
PO Box 2526  
Wellington 6140, New Zealand  
P: 0800 00 83 33  
W: [www.foodsafety.govt.nz](http://www.foodsafety.govt.nz)

