

ATTACHMENT B

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**RESOLUTION OF COUNCIL
12 MARCH 2012**

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ITEM 4.2 SYDNEY FOOD TRUCKS TRIAL 2012

FILE NO: S096329

MEMORANDUM BY THE CHIEF EXECUTIVE OFFICER

To Council:

The Sydney Food Trucks project emerged from the OPEN Sydney consultation in mid 2011, where many people wanted more and better quality late night food options in Sydney, including food trucks. Food trucks were included in the OPEN Sydney Discussion Paper which was on exhibition during October to December 2011, and was contained in a briefing for Councillors in October 2011 regarding the broader work of OPEN Sydney projects.

Mobile food vending already occurs in the City, but is mainly restricted to packaged food. There has been no ability for vendors to provide hot food, cooked as you wait. The Sydney Food Trucks one year trial will permit 10 specially selected vendors to be able to serve hot food, operating under strict Plans of Management and health compliance requirements. The purpose of a closely monitored trial is to manage and respond to any impacts as the trial proceeds. Other cities and local government areas are closely watching our work as they too hope to activate their streets and public places with alternatives to alcohol.

Ten high quality vendors have been identified following an Expression of Interest process and are now building their trucks. On completion, they will go through the required permit approval process with the Health Inspections Unit (including payment of associated fees for permits and inspections). Conditions will be placed on each operator stipulating how and where they can operate. Like other mobile vending operators, failure to comply can result in a revocation of the permit.

The Sydney Food Trucks trial will involve on-street and off-street vending locations. Subject to the approval of Council on-street locations will be in existing streets not within 200 metres of an open food business and subject to parking controls. Off-street vending locations have also been selected and 12 development applications have been lodged for a variety of parks and plazas across the City. Food Trucks will only be able to trade in one spot for a maximum of three hours before moving on.

Fees for Off-Street Locations

The Sydney Food Trucks trial is a new form of use within the City's parks and public spaces and the fee schedule applying to parks for events does not apply to this new form of activity.

For the duration of the 12 month trial, no fee will be applied to the use of parks by food trucks (excluding a security deposit, fees relating to the removal of bollards, approval fees and inspection fees). The purpose of the Sydney Food Truck trial is to provide activation and a food offering where none currently exists. The food trucks will provide affordable, creative and healthy food options across the City. This is in response to significant public demand demonstrated during the OPEN Sydney consultation process. During the trial period, City staff will be assessing the appropriate fee structure according to industry pricing recommendations and costs associated with managing food trucks within the public realm. This new fee will be reported to Council in early 2013.

Food trucks will be required to pay a \$2,000 security deposit fee and fees associated with removal of bollards to access some of the sites. Unlike many other operators who use City parks, Sydney Food Truck trial participants will undergo training workshops with City of Sydney staff about using public spaces which will mitigate potential damage. There are strict conditions on the food truck permit regarding the use of sites.

On Street Locations

This memo seeks approval to enable food trucks to operate on City streets, providing they are not within 200 metres of an open food business and comply with parking controls. During the 12 month trial, City staff will closely monitor the appropriateness of streets for use by Food Trucks.

Later in 2012, a new schedule of streets for the project will be created. The schedule will take into account surrounding land use and traffic flows. The schedule can create conditions for trade to ensure trucks are not operating back-to-back in the one location. A review of all temporary and mobile vending for the City will be undertaken at the same time. This will ensure clear and consistent guidelines which will encourage activation of City streets and parks, while balancing residential amenity.

Appropriate conditions will be applied to the food trucks during their term of operation. These conditions can enable the revocation or amendment to the terms of the approval during the trial period, should any issues arise with their operation. All requirements under the *Environmental Planning and Assessment Act 1979* will be complied with in relation to any necessary approvals for the operations of the trucks on public roads.

Locations of where trucks will be trading can still be tracked easily through the Smartphone App that has been developed. Use of the App to record trading locations will be a requirement of holding a permit. This will make monitoring and compliance easier. Special briefings for the City Rangers' team have occurred to explain the scope of the project, and City Rangers will have powers to move trucks on if there are any complaints. A mobile security patrol will be monitoring the first deployment of the trucks to ensure that they are operating according to the provisions of their permit and, where relevant, the development consent.

RECOMMENDATION

It is resolved that Council:

- (A) agree no fee will be charged during the trial period for the food trucks to occupy the off-street areas approved for the trial and that a new fee category for Food Trucks will be developed during the 12 month trial period and reported to Council;
- (B) approve the application of a \$2,000 security deposit per Food Truck for the 12 months of the pilot;
- (C) approve the operation of Food Trucks on appropriate City streets, providing they are not trading within 200 metres of a food business whilst that business is open, comply with parking controls and all conditions of approval under the Local Government Act 1993; and
- (D) note that a new Schedule of Streets for all forms of mobile vending will be developed during the trial period and reported to Council.

MONICA BARONE
Chief Executive Officer

Moved by the Chair (the Lord Mayor), seconded by Councillor Tornai -

That the Memorandum by the Chief Executive Officer be endorsed and adopted.

Carried unanimously.