

ATTACHMENT C

**RESOLUTION OF COUNCIL OF
25 JUNE 2012**

AND

**RESOLUTION OF THE CENTRAL SYDNEY
PLANNING COMMITTEE
OF 21 JUNE 2012**

Resolution of Council

25 JUNE 2012

ITEM 9.5

PREPARATION OF A PLANNING PROPOSAL TO ALLOW MOBILE FOOD VENDING VEHICLES - FOOD TRUCKS - TO BE EXEMPT DEVELOPMENT

(S102371)

It is resolved that:

- (A) Council commence the process to amend the Sydney Local Environmental Plan 2012, with an amendment to be known as Sydney Local Environmental Plan 2012 (Amendment No. 1) in accordance with Section 55 of the Environmental Planning and Assessment Act 1979;
- (B) Council endorse the Planning Proposal: Sydney Local Environmental Plan 2012 (Amendment No. 1) – Schedule 2 Exempt Development to include Mobile Food Vending Vehicles (food trucks), shown at Attachment A to the subject report, for submission to the Department of Planning and Infrastructure with a request for a Gateway Determination in accordance with Section 56(1) of the Environmental Planning and Assessment Act 1979 and, following receipt of the Gateway Determination, carry out public exhibition in accordance with the Gateway Determination;
- (C) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal following receipt of the Gateway Determination, to enable the commencement of public exhibition;
- (D) Council approve, for public exhibition of at least 14 days, the Planning Proposal to amend Schedule 2 of the Sydney Local Environmental Plan 2012 (Amendment No. 1), as shown at Attachment A to the subject report, in accordance with Section 57 of the Environmental Planning and Assessment Act 1979;
- (E) Council note that a Local Approvals Policy will be developed and reported back to Council at a later date for public consultation prior to the amendment coming into force;

- (F) Council approve the operation of Food Trucks on appropriate City streets, providing they are not trading within 50 metres of a comparable existing, lawful take away food and drink premises while that premises is open, and comply with parking controls and all conditions of approval under the Local Government Act 1993; and
- (G) at the conclusion of the trial period, the success and/or any issues arising from the proposal be reported to Council and inform any ongoing policy.

Carried unanimously.

Resolution of Central Sydney Planning Committee

21 JUNE 2012

ITEM 4

PREPARATION OF A PLANNING PROPOSAL TO ALLOW MOBILE FOOD VENDING VEHICLES - FOOD TRUCKS - TO BE EXEMPT DEVELOPMENT

(S102371)

Moved by Mr Knowles, seconded by Councillor Tornai -

It is resolved that the Central Sydney Planning Committee:

- (A) commence the process to amend the *Sydney Local Environmental Plan 2012*, with an amendment to be known as *Sydney Local Environmental Plan 2012 (Amendment No.1)* in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979*;
- (B) endorse the *Planning Proposal: Sydney Local Environmental Plan 2012 (Amendment No.1) - Schedule 2 Exempt Development* to include Mobile Food Vending Vehicles (food trucks), shown at Attachment A to the subject report, for submission to the Department of Planning and Infrastructure with a request for a Gateway Determination in accordance with Section 56(1) of the *Environmental Planning and Assessment Act 1979* and, following receipt of the Gateway Determination, carry out public exhibition in accordance with the Gateway Determination;
- (C) note that the report to the Planning Development and Transport Committee on 18 June 2012 recommends that Council delegate authority to the Chief Executive Officer to make any minor variations to the Planning Proposal following receipt of the Gateway Determination, to enable the commencement of public exhibition;
- (D) approve, for public exhibition of at least 14 days, the Planning Proposal to amend Schedule 2 of the *Sydney Local Environmental Plan 2012 (Amendment No 1)*, as shown at Attachment A to the subject report, in accordance with Section 57 of the *Environmental Planning and Assessment Act 1979*;

- (E) note that a Local Approvals Policy will be developed and reported back to Council at a later date for public consultation prior to the amendment coming into force;
- (F) note that the report to the Planning Development and Transport Committee on 18 June 2012 recommends that Council approve the operation of Food Trucks on appropriate City streets, providing they are not trading within 50 metres of an existing, lawful take away food and drink premises while that premises is open, and comply with parking controls and all conditions of approval under the Local Government Act 1993; and
- (G) at the conclusion of the trial period, the success and/or any issues arising from the proposal be reported to Council and inform any ongoing policy.

Carried unanimously.