

## **Amendment to the Mobile Food Vending Vehicles Local Approvals Policy**

**File No: S111707.027**

### **Summary**

The Mobile Food Vending Vehicles Local Approvals Policy (the Policy) informs the application, approval and operating requirements for food trucks and food vans on Council controlled roads within the City of Sydney local government area.

To help establish the Sydney Food Truck Program when it commenced in 2012, the City developed the multi-platform Sydney Food Trucks app to enable an initial nine food truck operators to advertise where they were trading and enable customers to find food trucks easily.

On 26 March 2018, ownership of the app and website was transferred to the original developers 'We Make Apps'. The temporary Food Truck Project Manager role, established to support development and maintenance of the program (including the app) for a period of three years, concluded on 30 June 2017. Administrative processes were streamlined and workflows aligned to ensure ongoing support was provided to food truck operators by Health and Building and Customer Service. From 1 July 2018, the fees associated with a food truck approval have been reduced from \$4,000 to \$600 to coincide with these changes.

Two paragraphs within the Policy (sections 30 and 31) require all food trucks to use the app when they have a City of Sydney permit under the Policy, and that the food truck name be displayed on the Sydney Food Truck website. As the app and website are now owned and managed by a third party ("We Make Apps"), it is no longer appropriate to have these requirements in the Policy and these requirements should be removed.

Amendments to the Policy were adopted by Council on 7 August 2017, under section 158 of the Local Government Act 1993 (the Act). Under section 165 (1) and (2) of the Act a Council may amend a local policy adopted under this Part, and the amendment may deal with the whole or part of the local policy amended. This proposed amendment relates only to sections 30, and 31 within the Policy relating to the mandatory use of the app.

This report recommends that Council approve the proposed draft amendments to the Mobile Vending Vehicle Local Approvals Policy for public exhibition. This exhibition period will be for a minimum of 42 days in accordance with the Local Government Act 1993.

## **Recommendation**

It is resolved that Council approve the draft amendments to the Mobile Food Vending Vehicles Local Approvals Policy, as shown at Attachment A to the subject report, for public exhibition.

## **Attachments**

**Attachment A.** Draft Mobile Food Vending Vehicles Local Approvals Policy

## Background

1. The Sydney Food Trucks trial emerged as a result of the OPEN Sydney public consultation in late 2011, and was introduced to provide a variety of high quality, accessible, creative and affordable takeaway food options in the city late at night. Food trucks have grown to become popular across greater Sydney, serving thousands of customers every month.
2. The program was established in 2012 and a temporary Project Manager role established to oversee development of this new sector and support and maintain the Sydney Food Truck Program. The Project Manager role concluded on 30 June 2017.
3. A review of the Program was carried out in 2016/17 in order to streamline processes and re-align workflows so that ongoing support could be provided to the program through the Health and Building and Customer Service Units.
4. The take-up of permits for new food trucks has slowed considerably since 2016/17 and has decreased from a total of 34 permits in February 2017 to 26 permits in May 2018.
5. The Mobile Food Vending Vehicles Local Approvals Policy was approved in 2014, and a review that made minor amendments occurred in 2017.
6. During the 2017 review of the Policy, the City was still managing the app and website and required food truck operators to use the app and website to promote their location and to provide additional dining options.
7. The Policy currently states that Category 2 Mobile Food Vending Vehicle operators (Food Truck operators) must use the Sydney food truck app at all times. All Category 2 approvals will have their business contact details displayed on the City's Sydney Food Trucks Website.
8. The City established the development of the multi-platform Sydney Food Trucks app to promote the initial nine food truck operators. The app serves to advertise the trading locations and enables customers to find food trucks easily. Since its development, the City has invested a further \$23,800 on additional app improvements and \$15,300 per annum on maintenance and administration of the app. Concluding at the end of 2017/18, the City also maintained a Sydney Food Truck website which interfaces with the app and provides event organisers and the public contact details for operators.
9. Funding of the program was achieved through the City's fees and charges. The Mobile Food Vending - Food Truck permit fee of \$4,000 was structured around two components - a \$600 application fee and a \$3,400 administration fee to ensure ongoing maintenance of the app and funding of the temporary Food Truck Project Manager role
10. The sector has grown and expanded beyond the City's boundaries and we are no longer best placed to manage the app and website into the future. To reduce permit fees to a more accessible amount, the City has divested the app and website. As of 1 July 2018, the City has handed over the ongoing support and development of the app and website to the original developer, We Make Apps. This will allow both services to be regularly updated with new features, and to be integrated with commercial third party services, such as remote payment and ordering services that are available across wider metropolitan Sydney.

11. Sydney Food Truck operators with a current approval will continue to have access to the app and website until at least 30 June 2019. New service fees will apply after this time and We Make Apps will negotiate these fees with operators directly. As at 1 July 2018, the City's Mobile Food Vending - Food Truck permit fee as set in Council's Schedule of Fees and Charges is \$600 per annum.
12. As the app and website are now managed commercially by a third party, it is no longer appropriate to require food trucks under the Policy to be on the app and website.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030 Vision

13. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This [choose an item] is aligned with the following strategic directions and objectives:
  - (a) Direction 1 - A Globally Competitive and Innovative City - [insert information about how the subject of this report contributes to this Direction].
  - (b) Direction 5 - A Lively and Engaging City Centre - [insert information about how the subject of this report contributes to this Direction].
  - (c) Direction 6 - Vibrant Local Communities and Economies - [insert information about how the subject of this report contributes to this Direction].

### Organisational Impact

14. The ongoing management of this policy and arising organisational impacts are managed as part of the Council's business as usual activities.

### Budget Implications

15. The changes to the Policy have no budget implications, as the transfer of ownership of the app and website has already been approved.
16. Food Truck fees for 2018/19 have been reduced from \$4000 (consisting of \$600 application fee and \$3,400 administration fee) to just the \$600 application fee. The 2018/19 fees have been approved by Council, in June 2018, and are currently in place.

### Relevant Legislation

17. The draft Policy has been prepared in accordance with the Local Government Act 1993 and the Local Government (General) Regulations 2005.
18. This draft Policy is consistent with the provisions of the Local Government Act 1993 for the adoption of local policies concerning approvals.

**Public Consultation**

19. Existing Food Truck operators were invited to an information session on 26 June 2018 with City staff and a We Make Apps representative to discuss the new arrangements. It is hoped the significant reduction in fees will make the mobile food vending permit more accessible to food trucks and increase the uptake of the permit in the City.
20. A letter was sent by City Business and Safety in advance of the transfer to all operators holding a valid Mobile Food Vending permit notifying them of the change in ownership.
21. The draft Mobile Food Vending Vehicles Policy will be put on public exhibition for 42 days for public comment.

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