

Item 9.

Post Exhibition - Mobile Food Vending Vehicles Local Approvals Policy

File No: X087518

Summary

The Mobile Food Vending Vehicles Local Approvals Policy (Policy) regulates the operation and overall impact of food trucks and food vans on Council owned roads and public places.

In accordance with section 165(4) of the Local Government Act 1993, the Policy is automatically revoked at the expiration of twelve (12) months after the declaration of the poll for that election, unless the Council revokes it sooner.

The existing Policy was reviewed and minor amendments were made prior to exhibition, including the addition of a revocation process and refusal to grant new approvals for applicants with a history of non-compliances.

In accordance with section 160 of the Local Government Act 1993, Council approved the public exhibition of the draft Mobile Food Vending Vehicles Local Approvals Policy on 27 June 2022. The draft Policy was exhibited between 14 July 2022 and 25 August 2022. Four submissions were received, resulting in no additional changes to the Policy. All submissions and responses are summarised within Attachment B.

This report recommends that Council adopt the Mobile Vending Vehicle Local Approvals Policy.

Recommendation

It is resolved that:

- (A) Council adopt the Mobile Food Vending Vehicles Local Approvals Policy as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Mobile Food Vending Vehicles Local Approvals Policy in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

Attachments

Attachment A. Mobile Food Vending Vehicles Local Approvals Policy

Attachment B. Public Exhibition Comments and Responses

Background

1. The Mobile Food Vending Vehicles Local Approvals Policy regulates the operation and overall impact of food trucks and food vans on Council owned roads and public places.
2. A mobile food vending vehicle is defined as any registered vehicle used on land that is either self-driven, or that can be towed down Council-owned roads and that is used in connection with the sale of food. They do not include push bikes, carts or any movable or fixed structure that cannot be registered for use on a road.
3. Mobile food vending vehicles are used for on-site food preparation and the sale of any type of food, including pre-packaged food.
4. There are 71 registered mobile food vending vehicles operating within the City.
5. The Mobile Food Vending Vehicles Local Approvals Policy was last reviewed and endorsed by Council in 2019. In accordance with section 165(4) of the Local Government Act 1993, the Policy is automatically revoked at the expiration of 12 months after the declaration of the poll for that election, unless the Council revokes it sooner.
6. The existing Policy was reviewed and minor amendments were made prior to exhibition, including the addition of a process to revoke and consider the refusal of new approvals for applicants with a history of non-compliances.
7. In accordance with section 160 of the Local Government Act 1993, a Local Approvals Policy must be placed on public exhibition for at least 28 days and comments can be received up to 42 days after the first advertisement.
8. Correspondence was also sent to all registered mobile food vending vehicle operators to inform them of the public consultation process and to invite comments.
9. The public exhibition period commenced on 14 July 2022 and closed on 25 August 2022.
10. During the public exhibition period there was a total of 111 unique page views with 17 unique page visits and a maximum of 36 visits on one day. Four written submissions were received, resulting in no additional changes to the draft Policy. The main issues raised within the submissions related to waste management, vehicle emissions, non-motorised vehicles, proximity/time requirements, policy objectives, liquor licencing and culture. All submissions and responses are summarised within Attachment B.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

11. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:
 - (a) Direction 1 - Responsible governance and stewardship - The Policy provides a framework for the operation and overall impact of food trucks and food vans on Council owned roads and public places.
 - (b) Direction 3 - Public places for all - Mobile food vending vehicles provide alternative dining options within the city, both day and night and provide a feeling of welcoming and safety within their environment, which in turn benefits all residents, workers and visitors alike.
 - (c) Direction 8 - A thriving cultural and creative life - The Policy supports the provision of food from many cultural sources and provides a new access point for start-up businesses to service the community.

Economic

12. The provision of food from mobile food vending vehicles contributes to the diversity, vibrancy and economic vitality of the City. Mobile food vending vehicles can trade in diverse areas and provide more affordable options for visitors and City workers. Mobile food vending provides another access point for start-up businesses to service the community in a variety of locations.

Financial Implications

13. Fees and charges associated with approvals and regulatory inspections of mobile food vending vehicles are detailed within the City's Revenue Policy.

Relevant Legislation

14. The Policy has been drafted in accordance with the Local Government Act 1993 and the Local Government (General) Regulations 2021.

GRAHAM JAHN AM

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