

MOBILE FOOD BUSINESSES IN PUBLIC PLACES POLICY

1. PURPOSE

This purpose of this policy is to provide a framework under which a permit may be granted to allow Mobile Food Businesses to operate on council owned or managed land under council's Public Places By-law No. 1 of 2018 (the By-law).

2. SCOPE

The policy applies to Mobile Food Businesses operating in public places within the City of Clarence (including carparks). This policy does not apply to Vendors who operate on private land, on road reserves, or where an event permit has been issued under the By-law.

3. DEFINITIONS

The following definitions apply to this policy:

<p>Mobile Food Business Vehicle</p>	<p>Means any vehicle registered as a mobile food premise within Tasmania under the <i>Food Act 2003</i>, including but not limited to:</p> <ul style="list-style-type: none"> ▪ trucks ▪ caravans ▪ trailers and carts <p>whether road registered or not.</p> <p>For the purposes of this policy, the definition does not include demountable structures, including marquees and tents.</p>
<p>Public Places</p>	<p>Means, for the purpose of this policy, any land or part of land, and for the purposes of this policy includes car parks associated with reserves, parks and foreshore environments, owned, controlled, managed or maintained by the Council.</p>
<p>Vendor</p>	<p>Means the operator of a mobile food business.</p>

4. POLICY STATEMENT

This policy provides the framework for council to:

- Establish consistent and equitable guidelines for the application, assessment and approval process for issue of permits to Vendors.
- Provide benefit to public land users in regard to enhancing and activating the public use of areas within the city, including the economic and social benefits of permitting Vendors to operate.
- Ensure use will not have a material detrimental impact on local residents, local business or the community generally and is consistent with the zoning and/or purpose of the land.
- Provide the community with choice and complement food offerings provided by permanent food outlets.
- Ensure appropriate standards are implemented to provide for the safe operations of mobile food businesses.

5. RELATIONSHIP TO COUNCIL STRATEGIC PLAN

The following strategies are identified in Council's Strategic Plan 2016 – 2026:

- *Facilitate residents being connected to the community by having access to resources and opportunities to participate in community activity, employment, volunteering and lifelong learning.*
- *Recognise, celebrate, and support cultural diversity through a range of cultural programs, activities and events.*
- *Market and communicate our City positioning and benefits through the promotion of the City's attributes, opportunities and visitor attractions.*
- *In recognition of the potential and value of population increase in the City, undertake initiatives aimed at ensuring the residential market provides the necessary choices, investment, and liveability attributes to attract people throughout their life stages.*

6. RELATED DOCUMENTS

The legislation and documents listed below form the framework to give effect to this policy:

LEGISLATIVE (ACTS, REGULATIONS AND STANDARDS)

- *Food Act 2003*
- Food Safety Standards
- *Vehicle and Traffic Act 1999*

COUNCIL POLICY, PLANS, PROCEDURES AND GUIDELINES

- Clarence City Council Public Places Bylaw No. 1 of 2018
- Fees and Charges (non-rates) Policy
- Mobile Food Businesses in Public Places Procedure and Guidelines

7. POLICY REQUIREMENTS

PERMIT ELIGIBILITY

To be eligible for a Mobile Food Businesses Permit, Vendors must meet the basic standards required for the operation of a business of this nature including:

- Australian Business Registration
- Mobile Food Business Registration Certificate issued under the *Food Act 2003*
- Current Tasmanian road registration, *if required*
- Public Liability Insurance.

APPLICATION

Vendors will be required to complete an Application to Operate a Mobile Food Business on Public Land and provide supporting documentation as outlined on the application form.

ASSESSMENT

Applications will be considered on merit and assessed against the Mobile Food Businesses Operating Procedure and Guidelines.

PERMIT

Vendors will be required to comply with all relevant policies, guidelines and permit conditions.

Permits may be issued for a period up to a 12 months.

LOCATIONS

Vendors will only be able to trade within designated areas set out in Attachment 2 / Table 1 of the Mobile Food Businesses in Public Places Procedure and Guidelines.

At council's own discretion, permits may be capped to an overall number within the city at any one time, or within a particular location.

TRADING HOURS

Vendors may trade between the hours of 7am and 9pm, seven days a week, unless specified otherwise in a particular permit.

FEES

Fees for the issuing of a permit and the conduct of inspection are determined by council each year in accordance with Council's Fees and Charges (non-rates) Policy.

8. IMPLEMENTATION AND COMMUNICATION

The Manager Governance is responsible for the implementation of this policy.

This policy will be communicated via:

- council's website
- internal circulation to staff.

9. REPORTING

Not applicable.

10. ADMINISTRATIVE ARRANGEMENTS

TABLE OF AMENDMENTS

No.	Date	Brief Details

APPROVAL

COUNCIL APPROVAL DATE	23 November 2020
REVIEW	Every 5 years
RESPONSIBLE POSITION	Manager Governance
ECM REFERENCE	ID 4477884