

appendices

Future Planning Committee



Future Planning Committee
19 September 2018

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8.1 Environmental Plan 2013 – 2018 Review and Update

Town of Victoria Park | Environment Plan – Project Plan

<p>Background</p> <p>The Town of Victoria Park identified within the Town’s <i>Plan for the Future 2011 – 2026</i> a need to document the environmental management activities being undertaken by the Town, identify any gaps and guide future environmental management activities.</p> <p>As a result, the Town developed the Environmental Plan 2013-2018. This has been the strategic document to guide the Town’s environmental management activities.</p> <p>Given that the Environment Plan 2013-2018 needs to align with the Town’s Environmental mission under the <i>Strategic Community Plan 2017 – 2032 to promote sustainable, connected, safe and diverse places for everyone</i> and that it has reached the end of its life, a new Environment Plan is required.</p> <p>It is intended that the new Environment Plan will again be divided into key focus areas to address the Town’s environmental obligations, align to strategic direction and address the community’s identified priorities.</p> <p>This plan will develop strategies that focus on the following key areas –</p> <ol style="list-style-type: none"> 1. Climate change adaptation (EN3) 2. Water and energy management (EN4, EN5) 3. Land (EN6) 4. Natural Areas & Biodiversity (EN6, EN7) 5. Waste management (EN4) 	<p>Strategic alignment</p> <p>Strategic Community Plan 2017 – 2032 Environmental Mission:</p> <p><i>To promote sustainable, connected, safe and diverse places for everyone.</i></p> <p>Strategic Outcomes:</p> <p><i>EN 3 – A place with sustainable, safe and convenient transport options for everyone.</i></p> <p><i>EN4 – A clean place where everyone knows the value of waste, water and energy.</i></p> <p><i>EN 5 – Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.</i></p> <p><i>EN6 – Appropriate, inviting and sustainable green spaces for everyone that are well maintained and managed);</i></p> <p><i>EN7 – Increased vegetation and tree canopy.</i></p>
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Objectives	Outcomes	Outputs	How will the quality of the outputs be determined?
<p>Climate change adaptation</p> <p>To reduce greenhouse gas emissions and lead on climate change mitigation.</p> <p>To conduct community awareness programs to effect climate change action.</p> <p>Water and energy management</p> <p>To responsibly and efficiently use energy resources</p> <p>To promote the efficient use of energy to our community</p> <p>To protect and enhance surface and groundwater resources to achieve a high quality of natural water resources.</p> <p>To conduct community awareness programs to ensure sustainable water usage.</p> <p>To ensure that stormwater is managed effectively.</p> <p>Land use planning</p> <p>To incorporate environmental considerations into land approval and planning processes.</p>	<p>A Town that leads in climate change action.</p> <p>The Town and its community are aware of the value of waste, water and energy, and efficiently use and manage these resources.</p> <p>The Town is home to appropriate, inviting and sustainable green spaces for everyone that are well maintained and managed.</p> <p>The Town is comprised of extensive vegetation and tree canopy.</p> <p>The Town's natural environment is enhanced and protected.</p>	<p>Town of Victoria Park Environment Plan.</p> <p>See schedule for milestones.</p>	<p>If the Environment Plan is endorsed by Council.</p>

<p>Natural areas and biodiversity To ensure the effective maintenance, protection and enhancement of the Town's biodiversity.</p> <p>Solid waste management To implement strategies and projects that aim to reduce the creation of waste; encourage reuse; and efficiently manage waste recovery.</p>			
<p>Schedule/List of activities/Milestones See Attachment.</p>			

Budget

It is anticipated that the development of the Environment Plan will occur through dedication of officer time. This may involve not only the activities of environment staff, but also that of other identified responsible officers (e.g. as part of working group, review of drafts etc).

Following the endorsement, it is likely that some of the commitments contained in the Environment Plan will impact on subsequent budget for the following five years.

Stakeholders

Project Management:

Project Management Structure	Roles and Responsibilities
Project Sponsor Chief Operations Officer Town of Victoria Park	The Project Sponsor will: <ul style="list-style-type: none">• Approve and release any budget funds• Approval of the Project Plan• Report progress to CEO and liaise or brief Elected Members/relevant Committees on project progress• Provide overall direction to all aspects of the project
Project Manager Manager Technical Services Town of Victoria Park	The Project Manager will: <ul style="list-style-type: none">• Monitor all aspects of the project processes• Approve tasks throughout the project• Provide support to the project
Project Officer Environment Officer	The Project Officer will: <ul style="list-style-type: none">• Prepare all documentation• Coordinate and facilitate progression of Environment Plan• Prepare and allocate project tasks and liaise with officer support accordingly• Ensure allocated project tasks are achieved on time

Interested Stakeholders:

- Community – residents, ratepayers, businesses;
- Community Groups (e.g. Friends of Kensington Bushland, Vic Park Trees);
- Incorporated Groups (e.g. Vic Park Collective)
- Burswood Park Board;
- Neighbouring Local Governments:
 - City of South Perth;
 - City of Perth;
 - City of Belmont;
 - City of Canning;
- Department of Biodiversity, Conservation and Attractions;
- Department of Water and Environmental Regulation;

- Department of Indigenous Affairs;
- FESA;
- Water Corporation;
- Mindarie Regional Council
- IW Projects (Ian Watkins)
- Town of Victoria Park Project Working Group;
- Town of Victoria Park Marketing and Communications team; and
- Town of Victoria Park staff.

Risks and Issues

See attachment.

Project closure and evaluation

This project will be closed once it has been endorsed by Council.

Following Council endorsement and implementation, the Environment Plan will be reviewed annually. Progress reports on the implementation of the Plan will be prepared and presented to the Town's Future Planning Committee and Council.

Major reasons for this include:

- Some of the projects included in this Plan will require more detailed costing;
- Some of the strategic projects may necessitate a review of the Plan to ensure effective implementation;
- Consideration must be given to the evolving nature of environmental systems; and
- Consideration must be given to any new strategic directions from State and Federal Governments that require effective implementation at a Local Government level.

Schedule/List of activities/Milestones

Goal	How will the outcome be measured?	What are the agreed actions?	Projects (for community)	What support will be provided and from who?	Staged action timeframe	Timeframe for achievement
Review Environment Plan 2013-18	A plan that guides environmental management activities within the Town over five years	Develop Project Plan		Cross-functional relationships across business units	31-Jul	30-Jun-19
		Review of actions from Environment Plan 2013-18			30-Aug	
		Approval of Project Plan from FPC			19-Sep	
		Formation of Working Group			30-Sep	
		Review relevant reports, information and data; Scoping of issues - staff consultation (e.g. release through Your Thoughts)			20-Dec	

		Scoping of Issues - community consultation. Liaise with community on what issues are important to them, and what they would like to see in a new Environment Plan (e.g. release through Your Thoughts)	Scoping of Issues - community consultation. Liaise with community on what issues are important to them, and what they would like to see in a new Environment Plan		20-Dec	
		Preparation of first draft Environment Plan	Preparation of first draft Environment Plan		01-Mar	
		Staff and Working Group consultation of first draft Environment Plan			15th March	
		Review feedback on draft Environmental Plan and revise draft accordingly			15th April	
		Seek approval from Working Group and FPC to release draft for community consultation			18th April	

		Community Consultation on the draft Environment Plan			20th April	
		Review feedback on draft Environmental Plan	Community Consultation on draft Environment Plan		4th May	
		Finalise draft, including graphic design. Release for community view and information	Community consultation on revised draft Environment Plan		5th May	
		FPC and Internal Working Group adoption of draft Environmental Plan			16-May	
		Report to Council for Adoption of Environmental Plan	Report to Council for Adoption of Environmental Plan		09-Jun	

8.2 Review of Local Plannign Policy 2 – Home Occupancy

LOCAL PLANNING POLICY 2 HOME OCCUPATION

1. AIM

- a) To provide guidelines for the use of residential premises for a home occupation.

2. OBJECTIVES

- a) To ensure that the use of land for any home occupation is small in scale, unobtrusive and compatible with surrounding buildings and uses;
- b) To protect the character of the locality; and
- c) To ensure that the home occupation does not have a prejudicial affect on the amenity of the locality by reason of any form of emissions or increased numbers of vehicle movements.

3. POLICY

- a) Any development application for a home occupation should not require the use or impose a load on any public utility greater than that ordinarily required by a residential dwelling.
- b) No person conducting a home occupation shall:
 - i. employ more than one person other than an occupier of the dwelling;
 - ii. permit any vehicle which is used in connection with the home occupation to be kept on the land unless:
 - a) the vehicle is not more than 6 metres long, 2 metres wide and 2.3 metres high; and
 - b) the vehicle cannot be seen from any street when parked.
 - iii. place or permit to remain on the land any advertisements, advertising hoarding, illuminated sign or other advertising device or erection, with respect or in connection with the home occupation; and
 - iv. use for the purposes of the home occupation an area of the lot greater than 20 square metres.
- c) the proposed use will not cause injury to or adversely affect the amenity of the neighbourhood.

INTRODUCTION

The Town acknowledges that working from home is now a widely accepted practice in today's workforce. Not only has it become increasingly common, changes in the traditional organisation of work, coupled with dramatic advances in communications and technology, have made it a more feasible and practical avenue for small business and self-employment.

However, the Town recognises that while some home-based employment is acceptable within a residential environment, there are limits on the compatibility of home occupations with residential uses. Some degree of control is therefore necessary to protect the character and amenity of residential neighbourhoods, and that of residents within grouped or multiple dwelling developments.

OBJECTIVES

- a) To encourage the opportunity for low scale home businesses to conduct business at home;
- b) To ensure that the use of land for any home occupation is small in scale, unobtrusive and compatible with surrounding buildings and uses;
- c) To protect the character of the locality;
- d) To ensure that the home occupation does not have a prejudicial effect on the amenity of the locality by reason of any form of emissions or increased numbers of vehicle movements;
- e) To provide guidelines for the use of residential premises for a home occupation;
- f) To clarify the requirement for development approval to conduct a home occupation, as distinguished from a home office.

DEFINITIONS

Home Occupation means the carrying on of any business conducted in a dwelling or within the boundaries of the lot upon which a dwelling is constructed but does not include the sale or hire of any goods.

Home Office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation –

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling.

Note: The Council does not consider the online/internet sale or hire of goods to constitute the "sale or hire of goods" prohibited under the above definition of Home Occupation, provided the goods are delivered (by post or delivery) by the resident/business operator and are not retrieved by customers (or other persons on their behalf) travelling to the site.

REQUIREMENT FOR DEVELOPMENT APPROVAL

Development approval is not required for a Home Office, where it complies with the definition of Home Office above. Development approval is required to be obtained from the Council prior to the carrying out of any Home Occupation activity that does not fall within the definition of a Home Office.

Refer to Council's *Local Planning Policy 6 – Family Day Care and Child Care Premises* for further information in relation to Family Day Care activities operated from a residential dwelling.

POLICY REQUIREMENTS

1. Activities to be Small-scale and Unobtrusive

- a) Home Occupation activities shall be small scale and unobtrusive such that they:
 - i. do not employ more than one person other than an occupier of the dwelling;
 - ii. do not occupy an area of the dwelling and/or lot of greater than 20 square metres in total; and
 - iii. do not involve the retail sale, display or hire of goods of any nature from the site. *Refer to Definitions section for clarification of what constitutes the “retail sale or hire of goods”.*
- b) A Home Occupation should not require the use of or impose a load on any public utility greater than that ordinarily required by a residential dwelling.

2. Amenity of Surrounding Properties

- a) A Home Occupation should not cause injury to or adversely affect the amenity of the neighbourhood or surrounding properties, including by way of light emissions, noise, fumes, odours, dust, vibration, electrical interference, waste water, or any other form of waste products; and
- b) Applicants seeking approval for a Home Occupation shall demonstrate how any waste, emissions, noise or other impacts generated by the activity will be treated or mitigated to prevent harm or nuisance to surrounding properties.
- c) A Home Occupation proposed from/in association with a Grouped Dwelling or Multiple Dwelling will generally not be supported by the Council unless it can be demonstrated that the amenity of the residents of other dwellings within the Grouped or Multiple Dwellings complex/development will not be adversely affected.

Applicants to Note: Development applications for a Home Occupation that involve the proposed use of common property within a Grouped Dwelling or Multiple Dwelling development (including for customer access or parking) require signed consent from the Strata Council/Body Corporate (as applicable) or all owners within the complex in order to be a valid development application.

Additional (separate) approval for the activity may also be required under the Strata By-Laws/Strata Titles Act in addition to any development approval from the Council.

3. Building Appearance

A Home Occupation should not require modifications to the structure of the dwelling which would impact the residential character and appearance of the dwelling.

4. Signage and Advertising

Any signage associated with a Home Occupation activity is restricted to a single sign and shall comply with the requirements for a 'Home Occupation Sign' contained in the Town's adopted Local Planning Policy and/or Local Law related to Signs.

5. Traffic and Car parking

- a) A Home Occupation should not generate any vehicular traffic to the site that, in the opinion of Council, is substantially greater than that which is normal to the residential neighbourhood in which it is located;
- b) Any vehicle which is used in connection with a Home Occupation must not be kept on the land unless it:
 - i. is not more than 6 metres long, 2 metres wide and 2.3 metres high;
 - ii. is parked within a dedicated car parking bay on the site (preferably behind the dwelling or garaged so it is not visible from the street); and
 - iii. is limited to a single vehicle in addition to the vehicle(s) of the residents of the dwelling;
- c) Any deliveries to the site should occur only during the normal business hours of 8am to 5pm, Monday to Friday;
- d) Any Home Occupation activity resulting in the attraction of customers/visitors to the site (e.g. hair dressing, personal training etc.) shall:
 - i. demonstrate how customers will park on the site, or otherwise be serviced by available on-street parking adjacent to the site; and
 - ii. confirm that visitations will occur by appointment only, and include an appropriate interval between appointments, to avoid customer overlap and minimise parking and traffic generation to the site;
- e) The use of visitor car parking bays provided as part of a Grouped or Multiple Dwelling complex/development for customer car parking in relation to a proposed Home Occupation activity is not appropriate and will not be supported by the Council; and
- f) Access to any car parking bays for customers to the site should be available and unobstructed during customer visitation/appointment times and not restricted by secured gates or doors.

6. Approval is Specific and Non-transferable

The approval of a Home Occupation is

- a) specific to the property and the applicant/operator to which the approval has been granted; and
- b) is not transferable to an additional or alternative property, applicant or operator.



CONSIDERATION OF APPLICATION FOR DEVELOPMENT APPROVAL

Where an application for development approval is submitted to Council for approval of a Home Occupation, the Council shall have regard to and may apply conditions relating to:

- The restriction of any approval to the particular property and applicant/operator of the activity;
- Hours and days of operation;
- Number of clients/customers to the site;
- Booking of appointments;
- Car parking;
- Deliveries to the site;
- Advertising signs; and
- Any other matters pertaining to the operation and activities of the particular Home Occupation.

Community Consultation

Community consultation in relation to a proposed Home Occupation will be carried out by the Council where required by, and in accordance with, *Local Planning Policy 37 – Community Consultation on Planning Proposals*.

REVOCAION OF DEVELOPMENT APPROVAL

The approval of a Home Occupation may be revoked in accordance with clause 31 of Town Planning Scheme No. 1 where, in the opinion of the Council, it:

- a) is causing a demonstrably unreasonable nuisance or annoyance to neighbours or occupiers of land in the neighbourhood; and/or
- b) is failing to comply with the conditions of its approval.

VERSION CONTROL

Date Initially Adopted :	Former Policy 3.4 under Town Planning Scheme Policy Manual – adopted 30 September 1998
Date(s) Amended :	Adopted as Local Planning Policy 2 at Ordinary Council Meeting 9 February 2016.

8.3 Trial of Draft HLTH6 Mobile Food Vendors (Vic Park Vendor's) Policy



Council Policy HLTH6

Mobile Food Vendors (Vic Park Vendor's) Policy

Policy Adoption Details	
Related Policies:	-
Related Local Law:	<i>Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000</i>
Authority:	Council Meeting of [insert OCM adoption date] to trial draft policy
Trial Period:	This Policy shall come into operation as an initial five (5) month trial commencing 1 November 2018 until 31 March 2019.
Date of Review:	By 30 June 2019 Following the conclusion of the trial period, a review shall be completed by Council's administration on whether to continue, cease and/or alter the provisions of this Policy, prior to commencement of the 2019/2020 financial year.
Responsible Program Area:	Community Planning Directorate: Development Services - Environmental Health

1. GENERAL

1.1 Application of Policy

This Policy applies to mobile food vendors operating in the Town of Victoria Park.

1.2 Purpose

To guide and establish the appropriate location, management and operation of mobile food vendors within the Town of Victoria Park, in a manner that supports the use and enjoyment of the Town's public open spaces, while balancing the needs and interests of pedestrians, consumers and local business proprietors.

1.3 Objectives

The objectives of this Policy are to:

- (a) Increase the vibrancy and activation of public open spaces within the Town of Victoria Park by increasing their attraction to the community as destinations to relax, recreate and socialise;
- (b) Provide new interesting food experiences to the local community, particularly in suburban locations lacking in the number or diversity of available food options;
- (c) To increase the use of public open spaces by making them available to mobile food vending businesses with the potential to offer culturally diverse, unique, healthy, fresh, high quality, safe and reasonably priced food;
- (d) Promote the Town of Victoria Park as a food and beverage destination of choice;
- (e) Provide opportunities for the development and growth of small businesses and to strive to achieve a balance in providing opportunities for food businesses of various kinds, including both mobile food vendors and bricks and mortar food businesses;
- (f) Consolidate existing administrative procedures involved in the approval and regulation of mobile food vending activities.
- (g) Ensure mobile food vending activities are of a temporary nature and do not unreasonably compromise the amenity of surrounding residential areas.
- (h) Ensure that the activities of mobile food vendors can operate in harmony with other public open space users and do not result in damage to public open space vegetation or infrastructure.

1.4 Definitions

- **Designated Trading Area** means a Council approved location for permit holders to undertake mobile food vending in accordance with a valid *Vic Park Vendor's Permit*.
- **Itinerant food vehicle** means any vehicle selling food or drink from the roadway or other public place, that travels from place to place to engage in trade, and not staying in one location other than while executing a sale.
- **Itinerant food vending** is defined as the sale of food or drink from an itinerant food vehicle.
- **Itinerant food vendor** is a person or business involved in the preparation and dispensing of food products from an itinerant food vehicle.



- **Local Law** where mentioned in this Policy refers to the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000*.
- **Mobile food vehicle** includes any:
 - a) Registered vehicle, caravan, trailer or any other method of transport from which food is sold; and
 - b) Non-road registered vehicles such, but not limited to, coffee carts, hotdog carts or similar vehicles;
 but does not include a temporary food stall.
- **Mobile food vending** is defined as the use of public space within a Designated Trading Area for the preparation and dispensing of food products by mobile food vendors.
- **Mobile food vendor** is a person or business involved in the preparation and dispensing of food products from a mobile food vehicle.
- **Permit holder** means the person(s) whose name is written on the Vic Park Vendor's Permit issued by the Town of Victoria Park.
- **Permit** refers to a Vic Park Vendor's Permit issued by the Council in accordance with this Policy.
- **Temporary food stall** includes a stall, tent or barbecue stand that is used to sell food at an occasional event and is usually dismantled after an event.
- **Vic Park Vendor's Permit** means a permit issued by the Town of Victoria Park under the provisions of the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* (as amended), granting conditional approval to a permit holder for mobile food vending within the Designated Trading Areas approved under this Policy.

2. PERMIT REQUIREMENTS

2.1 General

- (a) The operation and trading of mobile food vendors within the Town of Victoria Park will generally be restricted to the Designated Trading Areas adopted under this Policy.
- (b) The exception to 2.1(a) is for those mobile food vendors that have obtained a Temporary Food Business Permit from the Town of Victoria Park to operate and trade at a community (Council organised) or privately operated event.
- (c) All mobile food vendors trading at a Designated Trading Area within the Town of Victoria Park are required to:
 - i. Hold a valid *Vic Park Vendor's Permit*;
 - ii. Hold a current *Food Act 2008* Certificate of Registration from a Western Australian Local Government; and
 - iii. Obtain any other relevant approvals or consent.



2.2 Vic Park Vendor's Permit

- (a) The approval and issue of a *Vic Park Vendor's Permit* by the Town of Victoria Park constitutes the issue of a *Trader's Permit* under Part 5 of the *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* (as amended) (Local Law).
- (b) A permit holder must at all times comply with the requirements of the Local Law, this Policy and any conditions or restrictions specified on the permit.
- (c) *Vic Park Vendor's Permits* will be issued for the financial year in which the permit is sought, but for no less than one month's duration, and will expire on June 30 of the financial year for which the permit is granted.
- (d) The permit holder will be required to pay the relevant fees and charges as prescribed in the Town of Victoria Park's adopted Fees and Charges.
- (e) Permits will not be issued until the required fee has been paid.

2.3 Application Requirements

- (a) Applications for a *Vic Park Vendor's Permit* can be submitted year round but should be submitted at least one month (but no less than 14 days) prior to the intended commencement of trading.

The following information is required:

- i. A completed *Vic Park Vendor's Permit* application form;
- ii. A dimensioned site plan of the mobile food vehicle and its immediate surrounds, depicting the internal layout of the mobile food vehicle, the extent of any projecting signs or fixtures, intended customer seating or queuing areas, etc.;
- iii. Labelled photographs and/or elevations of the mobile food vehicle (from all sides) depicting the external appearance of the mobile food vehicle, including the servery area, all external fixtures and signage, the location of generators or waste receptacles, etc.;
- iv. A current Certificate of Currency (Public Liability Insurance) for a minimum of \$10,000,000. Permits shall be conditional upon permit holders maintaining current public liability insurance to this value at all times of trading;
- v. A copy of the manufacturer's specifications for any generators to be used (refer to clause 3.11(b));
- vi. A copy of a current *Food Act 2008* Certificate of Registration issued by the local government where the mobile food vehicle is housed and/or where the majority of the food preparation activities are occurring; and
- vii. other relevant documents or certification in support of the application (refer to section 2.4 below).

2.4 Application Assessment

- (a) Applications will be assessed on a case by case basis by the Town of Victoria Park having regard (but not limited) to the following evaluation criteria:
 - i. Demonstrated compliance with the *Food Act 2008* and *Food Safety Standards*.



- ii. Membership/accreditation from one or more relevant industry groups or associations (e.g. WA Mobile Food Vendors Association membership). *Note: membership/accreditation is not mandatory but will be favourably considered.*
- iii. Quality and uniqueness of the business, the mobile food vehicle or its food offering.
- iv. Competition (lack of) against local businesses with similar food offers.
- v. Confirmation of self-sufficient operations without the need to connect to a power supply or any services.
- vi. Public safety and comprehensiveness of information provided in application.

2.5 Permit Conditions

- (a) The Council may impose conditions subject to which an application for a *Vic Park Vendor's Permit* is approved in accordance with any of the provisions contained in this Policy.
- (b) As a condition of being granted approval for a *Vic Park Vendor's Permit*, permit holders must:
 - i. Display the permit on the dash or another visually prominent location of the approved vehicle at all operating times;
 - ii. Comply with the conditions stipulated on the *Vic Park Vendor's Permit* issued by the Town of Victoria Park; and
 - iii. Comply with the requirements set out within this Policy, unless otherwise approved by the Town.
- (c) In accordance with Clause 6.2 of the Local Law, the Council may impose any other conditions it considers appropriate on the approval of an application for a *Vic Park Vendor's Permit*.

2.6 Change of Permit Details

- (a) A permit holder with a valid *Vic Park Vendor's Permit* may apply to the Town to have their permit details altered to reflect a change of mobile food vending vehicle or vehicle registration details.
- (b) A change of permit details does not extend the approval period of the original permit.
- (c) A change of permit details may incur an administrative fee where the change in vehicle requires detailed reassessment by the Town to ensure continued compliance with this Policy, the Local Law or relevant Environmental Health legislation.

2.7 Permit Renewal

- (a) A renewal application for a *Vic Park Vendor's Permit* should be submitted at least one month prior to the expiry of the permit and include the following:
 - i. A completed *Vic Park Vendor's Permit* application form;
 - ii. Details of any proposed changes to the mobile food vehicle or the manner in which it is operated;



- iii. A copy of a current Certificate of Currency (Public Liability Insurance) for a minimum of \$10,000,000. Permits shall be conditional upon permit holders maintaining current public liability insurance to this value at all times of trading.
 - iv. A copy of a current *Food Act 2008* Certificate of Registration issued by the local government where the mobile food vehicle is housed and/or where the majority of the food preparation activities are occurring.
- (b) Renewal applications will be assessed on a case by case basis by the Town of Victoria Park.

2.8 Suspension and Cancellation of Permits

- (a) The Town reserves the right to temporarily suspend or cancel a permit, and/or alter the conditions of a permit, where the permit holder has failed to comply with the permit conditions, this Policy, the Local Law or the *Food Act 2008*.
- (b) Permit holders (as well as persons carrying out unauthorised trade or other activities on thoroughfares and public places in the Town) may be subject to infringement action where a breach of the Local Law has occurred. This includes a breach of any permit conditions applied by the Council in respect to this Policy.
- (c) Circumstances that may result in the cancellation of a permit, include (but are not limited to) those where the permit holder has been classified as a high risk vendor by Council's Environmental Health Officers (or other authorised officer) due to non-compliance with the *Food Act 2008* and any other associated environmental health legislation or regulations.

2.9 Events Trading

- (a) Mobile food vendors with a valid *Vic Park Vendor's Permit* will not need to apply for and obtain a separate Temporary Food Business Permit from the Town of Victoria Park to trade at an authorised/approved event occurring within the Town during the financial year for which the permit is valid. However, any permit holder must undertake the following prior to the event:
 - i. Obtain written consent from the event organiser to trade at the event; and
 - ii. Advise the Town of Victoria Park in writing (where the event is privately operated/not organised by the Town of Victoria Park) that they will be trading at the event.
- (b) Mobile food vendors who do not hold a valid *Vic Park Vendor's Permit* are required to apply for and obtain a Temporary Food Business Permit from the Town of Victoria Park, in addition to the written consent requirements outlined in section 2.9(a) above.
- (c) Existing permit holders to note that the possession of a *Vic Park Vendor's Permit* does not imply any right to trade at a community event run by the Town or a private operator. Written consent must be obtained from the event organiser to trade at any event and the Council must be kept informed in all instances.

2.10 Itinerant Food Vending

- (a) Itinerant food vending is generally not supported by the Council, in view of the following:



- i. the unregulated and highly transient nature of trading that may present a public safety risk to pedestrians, vehicles and other road users through frequent stopping and moving on of itinerant food vehicles, and the potential conflict between customers and vehicles that may occur during trade;
 - ii. the playing of music or other forms of noise to attract customers that may cause disruption or nuisance to the residents of locations that itinerant vendors may travel through or trade within; and
 - iii. the highly transient nature of the trade, which undermines the objectives of this Policy to increase the activation and enjoyment of the Town's public open spaces, as places for community members to gather and recreate.
- (b) Itinerant food vendors are instead encouraged to obtain a *Vic Park Vendor's Permit* from the Town to enable them to trade as a mobile food vendor at one or more of the Designated Trading Areas identified in this Policy.
 - (c) Itinerant food vendors may apply for a Temporary Food Business Permit in order to trade at an approved event run by the Town or a private operator in the Town of Victoria Park.

3. VENDOR TRADING AND LOCATION GUIDELINES

3.1 Approved Locations (Designated Trading Areas)

- (a) The Town of Victoria Park has approved the locations identified under Part 4 of this Policy for mobile food vending.
- (b) At each location is one or more Designated Trading Areas, where only an approved permit holder with a valid *Vic Park Vendor's Permit* is permitted to trade. These are detailed in the maps of each location contained in Part 4 of this Policy.
- (c) Alternative or additional trading locations and Designated Trading Areas may be considered by the Council where they are considered to meet the objectives of this Policy.

3.2 Trading Hours

- (a) Trading in Designated Trading Areas at "Day Only" locations is permitted to occur from 7am to 4pm.
- (b) Trading in Designated Trading Areas at "Day and Evening" locations is permitted to occur from 7am to 8:30pm.
- (c) Permit holders are not permitted to be on-site more than one hour prior or one hour after their booked trading period for the purposes of setting up or packing/cleaning up at the end of trade.

3.3 General Trading Requirements at Designated Trading Areas

The following requirements apply to all mobile food vendors trading within a Designated Trading Area:

- (a) The permit holder has obtained approval/authorisation from the Town to trade at the Designated Trading Area prior to the commencement of trade (Refer section 3.5).



- (b) Arrangements have been made for entry onto and securing the controlled access to the public open space on which the Designated Trading Area is located, prior to and at the end of trade. (i.e. The last trader to exit a Designated Trading Area is responsible for securing access onto the public open space when they leave).
- (c) All mobile food vending activities must occur within the boundaries of the Designated Trading Area detailed on the relevant map for each of the approved locations contained in Part Four of this Policy.
- (d) All mobile food vending vehicles are located so as not to obstruct pedestrian flow, vehicular traffic or access for emergency services.
- (e) The permit holder trades for a minimum of three (3) hours duration at the Designated Trading Area during any morning (7am to 12pm), afternoon (12pm to 5pm) and/or evening (5pm to 8:30pm) trading period that they have arranged and sought approval from Council to trade in.
- (f) The maximum number of mobile food vendors (on the relevant map for each of the Designated Trading Areas) is not exceeded during any trading period.
- (g) The Town reserves the right to refuse consent to permit holders to trade at the same trading area/public open space location if it is considered by the Town that the diversity or mix of traders would be adversely impacted by the permit holder trading at the same time as another permit holder with the same or similar food offer that has already been granted permission to trade at that time.
- (h) The Town reserves the right to refuse consent to permit holders to trade during any trading period in which organised sporting clubs or other groups have booked and reserved use of the public open space/playing field from the Town, unless agreement has been obtained from that sporting club/group to trade during that trading period. This includes circumstances where trading is considered by the Town to conflict with incidental fundraising or charitable activities (e.g. sausage sizzles, spectator/club member events, etc.) of the sporting club/group.

3.4 Trading at Multiple Locations

Approved permit holders are permitted to operate at multiple locations within the Town of Victoria Park provided:

- (a) Each location of trade is authorised by the Town prior to the commencement of trade; and
- (b) All requirements of this Policy as apply to trading at a single location are met by the permit holder for all trading locations.

3.5 Booking of Trading Times and Locations

- (a) Permit holders must request and obtain a booking to trade during a particular morning (7am to 11am), afternoon (12 pm to 4pm) and/or evening (5pm to 9:00pm) trading period at a Designated Trading Area through the Town's Community Development Officer – Clubs, Events and Bookings (or other appointed Council Officer).
- (b) Traders are permitted to trade across more than one trading period if those trading periods are available for booking (e.g. morning and afternoon trading from 7am to 4pm).



- (c) Bookings shall be made at least 1 week prior to the time of trading, and will be secured on a first come, first served basis.
- (d) Advance bookings of more than once month prior to the requested trading date will not be permitted.
- (e) Any permit holder who is unable to trade during a booked trading period should contact the Town to cancel the booking as early as possible, and preferably more than 1 week in advance of the trading period.
- (f) Permit holders are not permitted to make a booking to trade at more than one Designated Trading Area during the same trading period (morning, afternoon or evening).
- (g) Permit holders who make bookings to trade and then fail to trade without prior cancellation of their booking on two or more occasions may be refused further bookings to trade at a particular Designated Trading Area or have their permit cancelled.
- (h) A single permit holder may collectively book to trade at a Designated Trading Area on behalf of a number of permit holders, where the consent of all other permit holders has been provided to do so.
- (i) A collective booking does not over-ride any previous bookings made by any single permit holder(s) to trade at that same time/location being requested. In such circumstances, the collective booking will need to be altered/reduced such that the trading limitations for the requested Designated Trading Area continue to be met at all times.

3.6 Self-promotion, rostering and vendor management

- (a) All permit holders are strongly encouraged to utilise at least one social media platform to advertise and promote their arranged (booked) trading times to their friends/followers and the general public.
- (b) Mobile food vendors are encouraged to collectively roster, promote and manage their trading at the approved Designated Trading Areas within the Town of Victoria Park, on the proviso that all mobile food vendors are in possession of a valid *Vic Park Vendor's Permit*, and the booking procedures outlined in Section 3.5 are observed at all times.
- (c) The Town of Victoria Park will endeavour to make the details of the approved Designated Trading Areas and approved *Vic Park Vendors* (permit holders) available on the Council's website.
- (d) A group of permit holders may apply to the Council for approval to operate a Special Event at a Designated Trading Area location that exceeds the maximum number of permit holders normally permitted to trade. Examples may include themed cuisine events or cultural celebrations such as Chinese New Year, St Patricks Day, Christmas, etc.
- (e) Applications for Special Events will be considered by the Council on a case by case basis and should be submitted at least 2 months in advance of the event.
- (f) Special Event applications are to be submitted by the event organiser/manager and detail the number of mobile food vendors intended to trade, provide confirmation

that all traders hold a valid permit and that any non-permit holders (if relevant) will be applying for a Temporary Food Business Permit for the event.

- (g) Priority should be provided to existing permit holders to trade at a Special Event, where the event is occurring at or within close proximity to the location of a Designated Trading Area.

3.7 Suspension or Restriction of Trading at Designated Trading Areas

- (a) When an approved Town of Victoria Park event is held within or adjacent to a Designated Trading Area location, a permit holder must obtain the event organiser's consent to continue to trade at the specified event.
- (b) If the Town of Victoria Park states that a location is temporarily unavailable due to maintenance works (or for any other reasons) then the permit holder cannot trade at the specified location for that given time frame.
- (c) The Town has the right to make an approved location unavailable for a set period of time for community events, for works to be undertaken or any other reason the Town deems necessary.
- (d) The Council (without notice) may reduce the size/extent of a Designated Trading Area where it is considered necessary by the Council to ensure public safety, address issues of public amenity due to excessive noise or other disturbances, or for any other reason the Town deems necessary.

3.8 Waste Management

- (a) The mobile food vendor is required to maintain the mobile food vehicle and the surrounding area to a high standard at all times of trading and in accordance with the following requirements:
 - i. When trading at an approved location the trading area must be cleaned frequently;
 - ii. No waste or litter from the vehicle may be disposed of into the Town of Victoria Park's rubbish bins. Mobile food vendors must provide adequately sized bins for patrons' and business use and remove all rubbish from the approved location at the end of trade;
 - iii. A mobile food vehicle must have a holding tank for wastewater; and
 - iv. Wastewater, solid waste, litter or any other pollutant must not be placed or discharged on to the site or allowed to enter the stormwater drainage system.

3.9 Materials Used for the Serving or Packaging of Food and Beverages

- (a) Any materials used for the packaging or serving of prepared food or beverages to customers are to comprise of compostable materials, including any containers, plates, cups, glasses, cutlery, straws and napkins.
- (b) Single use non-compostable plastics (e.g. plastics that are not *certified compostable**) for the packaging or serving of prepared foods or beverages are not permitted.
- (c) Styrofoam/polystyrene packaging materials of any kind are not permitted.
- (d) Any bags provided to customers are to be constructed of paper only.



- (e) Permit holders are encouraged to serve food and beverages in clean, reusable receptacles provided by customers for this purpose (such as reusable food containers and keep-cups).

**Certified compostable* refers to bioplastic materials/products that have been verified to comply with Australian Standard AS 4736:2006 *Biodegradable plastics suitable for composting and other microbial treatment* or AS 5810-2010 *Biodegradable plastics suitable for home composting* (as amended). The Australian Bioplastics Association is the lead industry association providing certification of bioplastic products which comply with these standards and provides a list of certified food and beverage packaging products (www.bioplastics.org.au).

Conventional plastics such as polyethylene are not certified compostable and are not biodegradable. Varieties of polyethylene containing additives, such as those called oxo-degradable or oxo-biodegradable are not certified compostable and are not suitable for normal organic processing/recycling operations as they are not biodegradable.

3.10 Alcohol and Tobacco Products

- (a) Mobile food vendors are not permitted to sell, distribute or serve alcohol or tobacco products at a Designated Trading Area at any time.

3.11 Temporary Fixtures (seating, tables, etc.)

- (a) A mobile food vehicle is permitted and strongly encouraged to provide temporary fixtures such as tables, chairs and umbrellas for the use of customers in accordance with the following:
 - i. The fixtures are to be of a temporary nature and removed from the site at the end of trade;
 - ii. The mobile food vehicle and temporary fixtures must be kept in a safe and well-maintained condition at all times;
 - iii. All temporary fixtures relating to the mobile food vehicle should be sturdy and made of quality materials without sharp edges or other features likely to cause harm;
 - iv. Any temporary fixtures relating to mobile food vehicles must not obstruct pedestrian flow or vehicular traffic;
 - v. The tethering or securing of mobile food vehicles and any associated fixtures must not result in any damage/penetration of the public open space surface, or any damage to Council buildings or trees/vegetation; and
 - vi. The tethering of any sign, canopy or any other object to Council buildings, trees or any other public open space infrastructure is not permitted, except with prior Council approval.

3.12 Signage and Advertising

- (a) All advertising is to be fitted to the mobile food vehicle with the exception of one temporary A-frame sign which:
 - i. Shall be located within 75m of the location of the mobile food vehicle;
 - ii. Shall not exceed any dimension of 1m or an area of 1m² on any side;



- iii. Be secured in accordance with any requirements of the Town of Victoria Park; and
- iv. An A-frame sign will be considered a temporary fixture and must comply with the requirements detailed in section 3.9 of this Policy.

3.13 Noise

- (a) The use of low level amplified noise (i.e. music) is permitted to create atmosphere and ambience during trading;
- (b) Permit holders that emit excessive levels of noise from their vehicles that is considered by Council to cause unacceptable nuisance to surrounding neighbours/properties may have their permission to emit low level amplified noise removed at the discretion of the Town;
- (c) Generators must not have a manufacturer specified operational volume greater than 75dB, and are to preferably be of a low noise emitting inverter type model; and
- (d) All mobile food vehicle noise (including the generator) must comply with the assigned noise levels specified under the *Environmental Protection (Noise) Regulations 1997*.

3.14 Power and Utilities

- (a) All mobile food vehicles must be fully self-sufficient and not require any connection to Council services or utilities to carry out their operations.

3.15 Parking

- (a) Towing vehicles used to transport a detachable mobile food vehicle (e.g. a trailer or caravan) are not permitted to park within any Designated Trading Area or any part of the Council public open space and must be legally parked within a public car parking bay or other location.
- (b) Towing vehicles are to be driven away from the site during trading, and then return to collect the mobile food vehicle at the end of trade.
- (c) Any towing vehicles or staff vehicles parked within a public car park adjacent to a Designated Trading Area should park as far from the Designated Trading Area as possible to prioritise access and convenience for members of the public.

3.16 Public Liability and Risk Management

- (a) The mobile food vehicle permit holder must, for the duration of the permit, maintain public and product liability insurance for at least twenty million dollars (\$20,000,000).
- (b) The permit holder assumes responsibility for any acts of negligence arising from their activity.
- (c) The mobile food vehicle permit holder assumes responsibility for any liability issues which may arise as a result of the operation of the mobile food vehicle being at the location, the activities of any staff related to the mobile food activity and any issues arising from the installation and use of temporary fixtures placed in association with the mobile food vehicle.

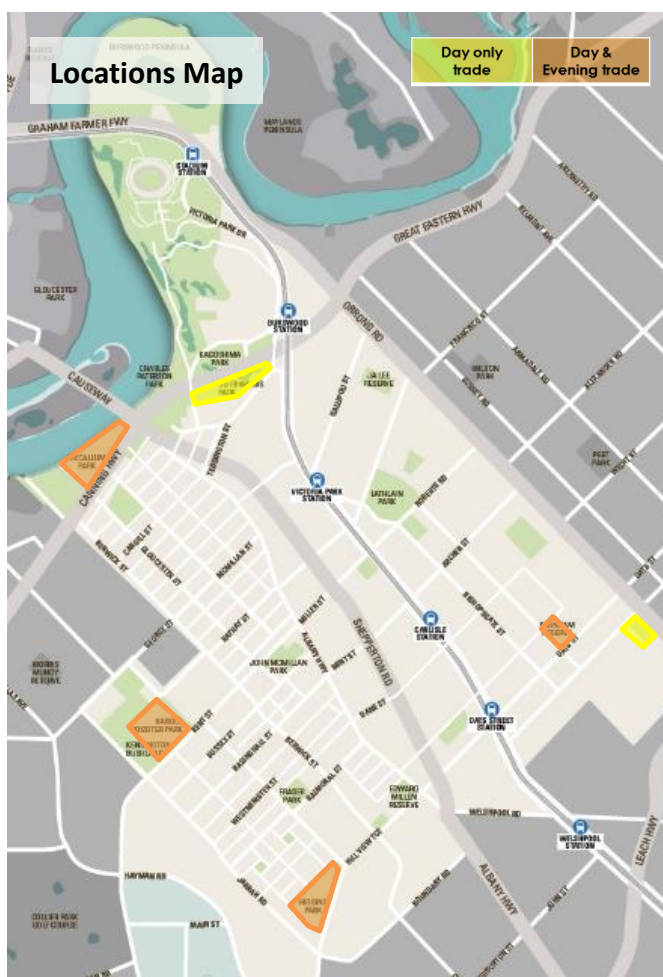


4. APPROVED DESIGNATED TRADING AREAS

The locations in Table 1 and the Location Map below are approved for mobile food vending in accordance with this Policy.

Locations:	Burswood	Victoria Park	East Vic Park	Lathlain	Carlisle	St James
Day Only 7am - 4pm	G O Edwards Park				Carlisle Reserve	
Day and Evening 7am – 8:30pm		McCallum Park	Harold Rossiter Park		Parnham Park	Higgins Park

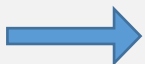
Table 1: Approved Mobile Food Vending Locations



Maps of each location are contained on the following pages, in alphabetical order. These indicate the trading area boundary, maximum number of vendors, permitted trading hours and points of access and egress for mobile food vendors.



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles

No. of vendors: Maximum of three (3) mobile food vendors operating at any one time

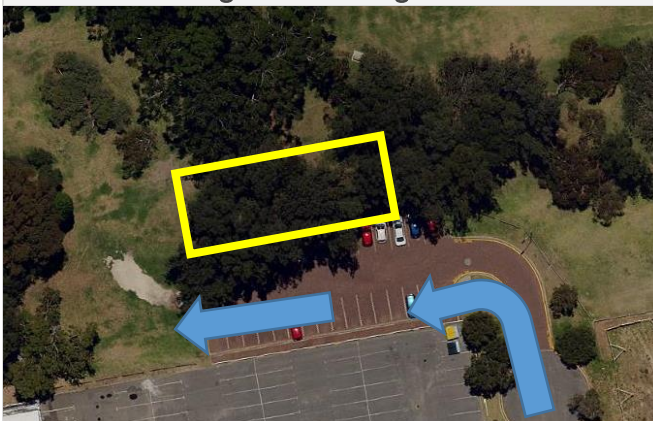
Trading Hours: Day Only trading from 7AM to 4PM
(to be packed and offsite by 5PM latest)

- Vendor Access and Location Notes:**
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.

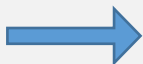


Designated Trading Area A

Designated Trading Area B



Designated Trading Area Boundary




Point of access and egress for mobile food vehicles

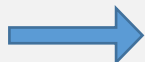
No. of vendors: Maximum of three (3) mobile food vendors per trading area at any one time

Trading Hours: Day Only trading from 7AM to 4PM
(to be packed and offsite by 5PM latest)

- Vendor Access and Location Notes:**
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.



 Designated Trading Area Boundary

 Point of access and egress for mobile food vehicles

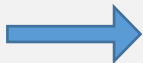
No. of vendors: Maximum of three (3) mobile food vendors operating at any one time

Trading Hours: Day and Evening trading from 7AM to 8:30PM
(to be packed and off-site by 9:30PM latest)

- Vendor Access and Location Notes:**
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles

No. of vendors: Maximum of three (3) mobile food vendors operating at any one time

Trading Hours: Day and Evening trading from 7AM to 8:30PM
(to be packed and off-site by 9:30PM latest)

- Vendor Access and Location Notes:**
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.

McCallum Park

Taylor St, Victoria Park

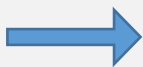


Designated Trading Area A

Designated Trading Area B



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles

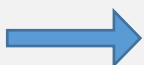
No. of vendors: Maximum of six (6) mobile food vendors per trading area operating at any one time

Trading Hours: Day and Evening trading from 7AM to 8:30PM
(to be packed and off-site by 9:30PM latest)

Vendor Access and Location Notes: 1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.



 Designated Trading Area Boundary

 Point of access and egress for mobile food vehicles

No. of vendors: Maximum of three (3) mobile food vendors operating at any one time

Trading Hours: Day and Evening trading from 7AM to 8:30PM
(to be packed and offsite by 9:30PM latest)

Vendor Access and Location Notes:

1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.



TOWN OF
VICTORIA PARK

Council Policy HLTH6

Mobile Food Vendors
(Vic Park Vendor's)
Policy



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PART ONE: GENERAL

1.1 Application of Policy

This Policy applies to mobile food vendors operating in the Town of Victoria Park.

1.2 Purpose

To guide and establish the appropriate location, management and operation of mobile food vendors within the Town of Victoria Park, in a manner that supports the use and enjoyment of the Town's public open spaces, while balancing the needs and interests of pedestrians, consumers and local business proprietors.

1.3 Objectives

The objectives of this Policy are to:

- (a) Increase the vibrancy and activation of public open spaces within the Town of Victoria Park by increasing their attraction to the community as destinations to relax, recreate and socialise;
- (b) Provide new interesting food experiences to the local community, particularly in suburban locations lacking in the number or diversity of available food options;
- (c) To increase the use of public open spaces by making them available to mobile food vending businesses with the potential to offer culturally diverse, unique, healthy, fresh, high quality, safe and reasonably priced food;
- (d) Promote the Town of Victoria Park as a food and beverage destination of choice;
- (e) Provide opportunities for the development and growth of small businesses;
- (f) Consolidate existing administrative procedures involved in the approval and regulation of mobile food vending activities.
- (g) Ensure mobile food vending activities are of a temporary nature and do not unreasonably compromise the amenity of surrounding residential areas.
- (h) Ensure that the activities of mobile food vendors can operate in harmony with other public open space users and do not result in damage to public open space vegetation or infrastructure.

1.4 Definitions

- **Designated Trading Area** means a Council approved location for permit holders to undertake mobile food vending in accordance with a valid *Vic Park Vendor's Permit*.



- **Itinerant food vehicle** means any vehicle selling food or drink from the roadway or other public place, that travels from place to place to engage in trade, and not staying in one location other than while executing a sale.
- **Itinerant food vending** is defined as the sale of food or drink from an itinerant food vehicle.
- **Itinerant food vendor** is a person or business involved in the preparation and dispensing of food products from an itinerant food vehicle.
- **Local Law** where mentioned in this Policy refers to the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000*.
- **Mobile food vehicle** includes any:
 - a) Registered vehicle, caravan, trailer or any other method of transport from which food is sold; and
 - b) Non-road registered vehicles such, but not limited to, coffee carts, hotdog carts or similar vehicles;

but does not include a temporary food stall.
- **Mobile food vending** is defined as the use of public space within a Designated Trading Area for the preparation and dispensing of food products by mobile food vendors.
- **Mobile food vendor** is a person or business involved in the preparation and dispensing of food products from a mobile food vehicle.
- **Permit holder** means the person(s) whose name is written on the Vic Park Vendor's Permit issued by the Town of Victoria Park.
- **Permit** refers to a Vic Park Vendor's Permit issued by the Council in accordance with this Policy.
- **Temporary food stall** includes a stall, tent or barbecue stand that is used to sell food at an occasional event and is usually dismantled after an event.
- **Vic Park Vendor's Permit** means a permit issued by the Town of Victoria Park under the provisions of the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* (as amended), granting conditional approval to a permit holder for mobile food vending within the Designated Trading Areas approved under this Policy.

PART TWO: PERMIT REQUIREMENTS

2.1 General

- (a) The operation and trading of mobile food vendors within the Town of Victoria Park will generally be restricted to the Designated Trading Areas adopted under this Policy.
- (b) The exception to 2.1(a) is for those mobile food vendors that have obtained a Temporary Food Business Permit from the Town of Victoria Park to operate and trade at a community (Council organised) or privately operated event.
- (c) All mobile food vendors trading at a Designated Trading Area within the Town of Victoria Park are required to:
 - i. Hold a valid *Vic Park Vendor's Permit*;
 - ii. Hold a current *Food Act 2008* Certificate of Registration from a Western Australian Local Government; and
 - iii. Obtain any other relevant approvals or consent.

2.2 Vic Park Vendor's Permit

- (a) The approval and issue of a *Vic Park Vendor's Permit* by the Town of Victoria Park constitutes the issue of a *Trader's Permit* under Part 5 of the *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* (as amended) (Local Law).
- (b) A permit holder must at all times comply with the requirements of the Local Law, this Policy and any conditions or restrictions specified on the permit.
- (c) *Vic Park Vendor's Permits* will be issued for the financial year in which the permit is sought, but for no less than one month's duration, and will expire on June 30 of the financial year for which the permit is granted.
- (d) The permit holder will be required to pay the relevant fees and charges as prescribed in the Town of Victoria Park's adopted Fees and Charges.
- (e) Permits will not be issued until the required fee has been paid.

2.3 Application Requirements

- (a) Applications for a *Vic Park Vendor's Permit* can be submitted year round but should be submitted at least one month (but no less than 14 days) prior to the intended commencement of trading.

The following information is required:

- i. A completed *Vic Park Vendor's Permit* application form;
- ii. A dimensioned site plan of the mobile food vehicle and its immediate surrounds, depicting the internal layout of the mobile food vehicle, the



extent of any projecting signs or fixtures, intended customer seating or queuing areas, etc.;

- iii. Labelled photographs and/or elevations of the mobile food vehicle (from all sides) depicting the external appearance of the mobile food vehicle, including the servery area, all external fixtures and signage, the location of generators or waste receptacles, etc;
- iv. A current Certificate of Currency (Public Liability Insurance) for a minimum of \$10,000,000. Permits shall be conditional upon permit holders maintaining current public liability insurance to this value at all times of trading;
- v. A copy of the manufacturer's specifications for any generators to be used (refer to clause 3.11(b));
- vi. A copy of a current *Food Act 2008* Certificate of Registration issued by the local government where the mobile food vehicle is housed and/or where the majority of the food preparation activities are occurring; and
- vii. other relevant documents or certification in support of the application (refer to section 2.4 below).

2.4 Application Assessment

- (a) Applications will be assessed on a case by case basis by the Town of Victoria Park having regard (but not limited) to the following evaluation criteria:
 - i. Demonstrated compliance with the *Food Act 2008* and *Food Safety Standards*.
 - ii. Membership/accreditation from one or more relevant industry groups or associations (e.g. WA Mobile Food Vendors Association membership). *Note: membership/accreditation not mandatory but will be favourably considered.*
 - iii. Quality and uniqueness of the business, the mobile food vehicle or its food offering.
 - iv. Competition (lack of) against local businesses with similar food offers.
 - v. Confirmation of self-sufficient operations without the need to connect to a power supply or any services.
 - vi. Public safety and comprehensiveness of information provided in application.

2.5 Permit Conditions

- (a) The Council may impose conditions subject to which an application for a *Vic Park Vendor's Permit* is approved in accordance with any of the provisions contained in this Policy.
- (b) As a condition of being granted approval for a *Vic Park Vendor's Permit*, permit holders must:

- i. Display the permit on the dash or another visually prominent location of the approved vehicle at all operating times;
 - ii. Comply with the conditions stipulated on the *Vic Park Vendor's Permit* issued by the Town of Victoria Park; and
 - iii. Comply with the requirements set out within this Policy, unless otherwise approved by the Town.
- (c) In accordance with Clause 6.2 of the Local Law, the Council may impose any other conditions it considers appropriate on the approval of an application for a *Vic Park Vendor's Permit*.

2.6 Change of Permit Details

- (a) A permit holder with a valid *Vic Park Vendor's Permit* may apply to the Town to have their permit details altered to reflect a change of mobile food vending vehicle or vehicle registration details.
- (b) A change of permit details does not extend the approval period of the original permit.
- (c) A change of permit details may incur an administrative fee where the change in vehicle requires detailed reassessment by the Town to ensure continued compliance with this Policy, the Local Law or relevant Environmental Health legislation.

2.7 Permit Renewal

- (a) A renewal application for a *Vic Park Vendor's Permit* should be submitted at least one month prior to the expiry of the permit and include the following:
 - i. A completed *Vic Park Vendor's Permit* application form;
 - ii. Details of any proposed changes to the mobile food vehicle or the manner in which it is operated;
 - iii. A copy of a current Certificate of Currency (Public Liability Insurance) for a minimum of \$10,000,000. Permits shall be conditional upon permit holders maintaining current public liability insurance to this value at all times of trading.
 - iv. A copy of a current *Food Act 2008* Certificate of Registration issued by the local government where the mobile food vehicle is housed and/or where the majority of the food preparation activities are occurring.
- (b) Renewal applications will be assessed on a case by case basis by the Town of Victoria Park.

2.8 Suspension and Cancellation of Permits

- (a) The Town reserves the right to temporarily suspend or cancel a permit, and/or alter the conditions of a permit, where the permit holder has failed to comply with the permit conditions, this Policy, the Local Law or the *Food Act 2008*.



- (b) Permit holders (as well as persons carrying out unauthorised trade or other activities on thoroughfares and public places in the Town) may be subject to infringement action where a breach of the Local Law has occurred. This includes a breach of any permit conditions applied by the Council in respect to this Policy.
- (c) Circumstances that may result in the cancellation of a permit, include (but are not limited to) those where the permit holder has been classified as a high risk vendor by Council's Environmental Health Officers (or other authorised officer) due to non-compliance with the *Food Act 2008* and any other associated environmental health legislation or regulations.

2.9 Events Trading

- (a) Mobile food vendors with a valid *Vic Park Vendor's Permit* will not need to apply for and obtain a separate Temporary Food Business Permit from the Town of Victoria Park to trade at an authorised/approved event occurring within the Town during the financial year for which the permit is valid. However, any permit holder must undertake the following prior to the event:
 - i. Obtain written consent from the event organiser to trade at the event; and
 - ii. Advise the Town of Victoria Park in writing (where the event is privately operated/not organised by the Town of Victoria Park) that they will be trading at the event.
- (b) Mobile food vendors who do not hold a valid *Vic Park Vendor's Permit* are required to apply for and obtain a Temporary Food Business Permit from the Town of Victoria Park, in addition to the written consent requirements outlined in section 2.9(a) above.
- (c) Existing permit holders to note that the possession of a *Vic Park Vendor's Permit* does not imply any right to trade at a community event run by the Town or a private operator. Written consent must be obtained from the event organiser to trade at any event and the Council must be kept informed in all instances.

2.10 Itinerant Food Vending

- (a) Itinerant food vending is generally not supported by the Council, in view of the following:
 - i. the unregulated and highly transient nature of trading that may present a public safety risk to pedestrians, vehicles and other road users through frequent stopping and moving on of itinerant food vehicles, and the potential conflict between customers and vehicles that may occur during trade;
 - ii. the playing of music or other forms of noise to attract customers that may cause disruption or nuisance to the residents of locations that itinerant vendors may travel through or trade within; and



- iii. the highly transient nature of the trade, which undermines the objectives of this Policy to increase the activation and enjoyment of the Town's public open spaces, as places for community members to gather and recreate.
- (b) Itinerant food vendors are instead encouraged to obtain a *Vic Park Vendor's Permit* from the Town to enable them to trade as a mobile food vendor at one or more of the Designated Trading Areas identified in this Policy.
- (c) Itinerant food vendors may apply for a Temporary Food Business Permit in order to trade at an approved event run by the Town or a private operator in the Town of Victoria Park.



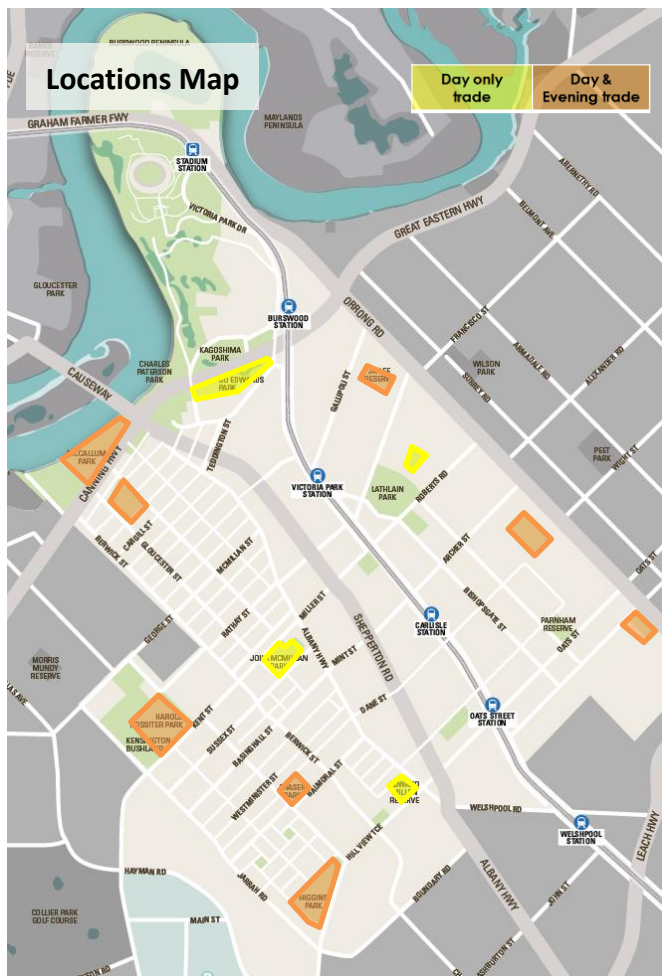
PART THREE: VENDOR TRADING AND LOCATION GUIDELINES

3.1 Approved Locations (Designated Trading Areas)

- (a) The Town of Victoria Park has approved the locations listed within Table 1 below for mobile food vending.
- (b) Only an approved permit holder with a valid *Vic Park Vendor's Permit* is permitted to trade within a Designated Trading Area.
- (c) Alternative or additional trading locations may be considered by the Council where they are considered to meet the objectives of this Policy.

Locations:	Burswood	Victoria Park	East Vic Park	Lathlain	Carlisle	St James
Day Only 7am - 5pm	G O Edwards Park	Edward Millen Reserve	John Macmillan Park	Rayment Reserve		
Day and Evening 7am – 9pm		Raphael Park	Harold Rossiter Park	J A Lee Reserve	Carlisle Reserve	Higgins Park
		McCallum Park	Fraser Park		Parnham Park	

Table 1: Approved Mobile Food Vending Locations



The above locations have been identified by the Council having regard to the distribution and diversity of trading opportunities throughout the Town, as well as the characteristics and available amenities and infrastructure at the public open spaces themselves.

Such public open spaces (which may often be under-utilised) are considered suitable and attractive to members of the community to recreate and enjoy their leisure time with family and friends, in a manner that is compatible with and potentially viable as a trading location for mobile food vendors.

Issues of proximity and competition with existing “bricks and mortar” food businesses and the objective to increase the choice and diversity of food options to the community have also been considered.

Maps of the Designated Trading Areas are located in Part Four of this Policy, in alphabetical order of their location. These indicate the trading area boundary, maximum number of vendors, permitted trading hours and points of access and egress for mobile food vendors.

3.2 Trading Hours

- (a) Trading in Designated Trading Areas at “Day Only” locations is permitted to occur from 7am to 5pm.
- (b) Trading in Designated Trading Areas at “Day and Evening” locations is permitted to occur from 7am to 9pm.

3.3 General Trading Requirements at Designated Trading Areas

The following requirements apply to all mobile food vendors trading within a Designated Trading Area:

- (a) The permit holder has obtained approval/authorisation from the Town to trade at the Designated Trading Area prior to the commencement of trade (Refer section 3.5).
- (b) Arrangements have been made for entry onto and securing the controlled access to the public open space on which the Designated Trading Area is located, prior to and at the end of trade. (i.e. The last trader to exit a Designated Trading Area is responsible for securing access onto the public open space when they leave).
- (c) All mobile food vending activities must occur within the boundaries of the Designated Trading Area detailed on the relevant map for each of the approved locations contained in Part Four of this Policy.
- (d) All mobile food vending vehicles are located so as not to obstruct pedestrian flow, vehicular traffic or access for emergency services.
- (e) The permit holder trades for a minimum of three (3) hours duration at the Designated Trading Area during any morning (7am to 12pm), afternoon (12pm to 5pm) and/or evening (5pm to 9:00pm) trading period that they have arranged and sought approval from Council to trade in.
- (f) The maximum number of mobile food vendors (on the relevant map for each of the Designated Trading Areas) is not exceeded during any trading period.
- (g) The Town reserves the right to refuse consent to permit holders to trade at the same trading area/public open space location if it is considered by the Town that the diversity or mix of traders would be adversely impacted by the permit holder trading at the same time as another permit holder with the same or similar food offer that has already been granted permission to trade at that time.
- (h) The Town reserves the right to refuse consent to permit holders to trade during any trading period in which organised sporting clubs or other groups have booked and reserved use of the public open space/playing field from

the Town, unless agreement has been obtained from that sporting club/group to trade during that trading period. This includes circumstances where trading is considered by the Town to conflict with incidental fundraising or charitable activities (e.g. sausage sizzles, spectator/club member events, etc.) of the sporting club/group.

3.4 Trading at Multiple Locations

Approved permit holders are permitted to operate at multiple locations within the Town of Victoria Park provided:

- (a) Each location of trade is authorised by the Town prior to the commencement of trade; and
- (b) All requirements of this Policy as apply to trading at a single location are met by the permit holder for all trading locations.

3.5 Booking of Trading Times and Locations

- (a) Permit holders must request and obtain a booking to trade during a particular morning (7am to 12pm), afternoon (12 pm to 5pm) and/or evening (5pm to 9:00pm) trading period at a Designated Trading Area through the Town's Community Development Officer – Clubs, Events and Booking (or other appointed Council Officer).
- (b) Bookings shall be made at least 1 week prior to the time of trading, and will be secured on a first come, first served basis.
- (c) Advance bookings or more than once month prior to the requested trading date will not be permitted.
- (d) Any permit holder who is unable to trade during a booked trading period should contact the Town to cancel the booking as early as possible, and preferably more than 1 week in advance of the trading period.
- (e) Permit holders are not permitted to make a booking to trade at more than one Designated Trading Area during the same trading period (morning, afternoon or evening).
- (f) Permit holders who make bookings to trade and then fail to trade without prior cancellation of their booking on two or more occasions may be refused further bookings to trade at a particular Designated Trading Area or have their permit cancelled.
- (g) A single permit holder may collectively book to trade at a Designated Trading Area on behalf of a number of permit holders, where the consent of all other permit holders has been provided to do so.
- (h) A collective booking does not over-ride any previous bookings made by any single permit holder(s) to trade at that same time/location being requested. In such circumstances, the collective booking will need to be altered/reduced such that the trading limitations for the requested Designated Trading Area continue to be met at all times.



3.6 Self-promotion, rostering and vendor management

- (a) All permit holders are strongly encouraged to utilise at least one social media platform to advertise and promote their arranged (booked) trading times to their friends/followers and the general public.
- (b) Mobile food vendors are encouraged to collectively roster, promote and manage their trading at the approved Designated Trading Areas within the Town of Victoria Park, on the proviso that all mobile food vendors are in possession of a valid *Vic Park Vendor's Permit*, and the booking procedures outlined in Section 3.5 are observed at all times.
- (c) The Town of Victoria Park will endeavour to make the details of the approved Designated Trading Areas and approved *Vic Park Vendors* (permit holders) available on the Council's website.
- (d) A group of permit holders may apply to the Council for approval to operate a Special Event at a Designated Trading Area location that exceeds the maximum number of permit holders normally permitted to trade. Examples may include themed cuisine events or cultural celebrations such as Chinese New Year, St Patrick's Day, Christmas, etc.
- (e) Applications for Special Events will be considered by the Council on a case by case basis and should be submitted at least 2 months in advance of the event.
- (f) Special Event applications are to be submitted by the event organiser/manager and detail the number of mobile food vendors intended to trade, provide confirmation that all traders hold a valid permit and that any non-permit holders (if relevant) will be applying for a Temporary Food Business Permit for the event.
- (g) Priority should be provided to existing permit holders to trade at a Special Event, where the event is occurring at or within close proximity to the location of a Designated Trading Area.

3.7 Suspension or Restriction of Trading at Designated Trading Areas

- (a) When an approved Town of Victoria Park event is held within or adjacent to a Designated Trading Area location, a permit holder must obtain the event organiser's consent to continue to trade at the specified event.
- (b) If the Town of Victoria Park states that a location is temporarily unavailable due to maintenance works (or for any other reasons) then the permit holder cannot trade at the specified location for that given time frame.
- (c) The Town has the right to make an approved location unavailable for a set period of time for community events, for works to be undertaken or any other reason the Town deems necessary.
- (d) The Council (without notice) may reduce the size/extent of a Designated Trading Area where it is considered necessary by the Council to ensure

public safety, address issues of public amenity due to excessive noise or other disturbances, or for any other reason the Town deems necessary.

3.8 Waste Management

- (a) The mobile food vendor is required to maintain the mobile food vehicle and the surrounding area to a high standard at all times of trading and in accordance with the following requirements:
 - i. When trading at an approved location the trading area must be cleaned frequently;
 - ii. No waste or litter from the vehicle may be disposed of into the Town of Victoria Park's rubbish bins. Mobile food vendors must provide adequately sized bins for patrons' and business use and remove all rubbish from the approved location at the end of trade;
 - iii. A mobile food vehicle must have a holding tank for wastewater; and
 - iv. Wastewater, solid waste, litter or any other pollutant must not be placed or discharged on to the site or allowed to enter the stormwater drainage system.

3.9 Temporary Fixtures (seating, tables, etc.)

- (a) A mobile food vehicle is permitted and strongly encouraged to provide temporary fixtures such as tables, chairs and umbrellas for the use of customers in accordance with the following:
 - i. The fixtures are to be of a temporary nature and removed from the site at the end of trade;
 - ii. The mobile food vehicle and temporary fixtures must be kept in a safe and well-maintained condition at all times;
 - iii. All temporary fixtures relating to the mobile food vehicle should be sturdy and made of quality materials without sharp edges or other features likely to cause harm;
 - iv. Any temporary fixtures relating to mobile food vehicles must not obstruct pedestrian flow or vehicular traffic;
 - v. The tethering or securing of mobile food vehicles and any associated fixtures must not result in any damage/penetration of the public open space surface, or any damage to Council buildings or trees/vegetation; and
 - vi. The tethering of any sign, canopy or any other object to Council buildings, trees or any other public open space infrastructure is not permitted, except with prior Council approval.

3.10 Signage and Advertising

- (a) All advertising is to be fitted to the mobile food vehicle with the exception of one temporary A-frame sign which:



- i. Shall be located within 75m of the location of the mobile food vehicle;
- ii. Shall not exceed any dimension of 1m or an area of 1m² on any side;
- iii. Be secured in accordance with any requirements of the Town of Victoria Park; and
- iv. An A-frame sign will be considered a temporary fixture and must comply with the requirements detailed in section 3.9 of this Policy.

3.11 Noise

- (a) The use of low level amplified noise (i.e. music) is permitted to create atmosphere and ambience during trading;
- (b) Permit holders that emit excessive levels of noise from their vehicles that is considered by Council to cause unacceptable nuisance to surrounding neighbours/properties may have their permission to emit low level amplified noise removed at the discretion of the Town;
- (c) Generators must not have a manufacturer specified operational volume greater than 75dB; and
- (d) All mobile food vehicle noise (including the generator) must comply with the assigned noise levels specified under the *Environmental Protection (Noise) Regulations 1997*.

3.12 Power and Utilities

- (a) All mobile food vehicles must be fully self-sufficient and not require any connection to Council services or utilities to carry out their operations.

3.13 Parking

- (a) Towing vehicles used to transport a detachable mobile food vehicle (e.g. a trailer or caravan) are not permitted to park within any Designated Trading Area or any part of the Council public open space and must be legally parked within a public car parking bay or other location.
- (b) Towing vehicles are to be driven away from the site during trading, and then return to collect the mobile food vehicle at the end of trade.
- (c) Any towing vehicles or staff vehicles parked within a public car park adjacent to a Designated Trading Area should park as far from the Designated Trading Area as possible to prioritise access and convenience for members of the public.

3.14 Public Liability and Risk Management

- (a) The mobile food vehicle permit holder must, for the duration of the permit, maintain public and product liability insurance for at least ten million dollars (\$10,000,000).
- (b) The permit holder assumes responsibility for any acts of negligence arising from their activity.



- (c) The mobile food vehicle permit holder assumes responsibility for any liability issues which may arise as a result of the operation of the mobile food vehicle being at the location, the activities of any staff related to the mobile food activity and any issues arising from the installation and use of temporary fixtures placed in association with the mobile food vehicle.



PART FOUR: APPROVED DESIGNATED TRADING AREAS MAPS

Carlisle Reserve
111 Briggs St, Carlisle



 Designated Trading Area Boundary

 Point of access and egress for mobile food vehicles

No. of vendors: Maximum of six (6) mobile food vendors operating at any one time

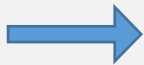
Trading Hours: Daytime trading ONLY from 7AM to 5PM

Vendor Access and Location Notes:

1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles

No. of vendors: Maximum of ten (10) mobile food vendors operating at any one time

Trading Hours: Daytime trading ONLY from 7AM to 5PM

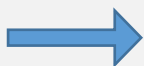
- Vendor Access and Location Notes:**
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to traverse the periphery of ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.

Fraser Park

Fraser Park Road, East Victoria Park



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles

No. of vendors: Maximum of six (6) mobile food vendors operating at any one time

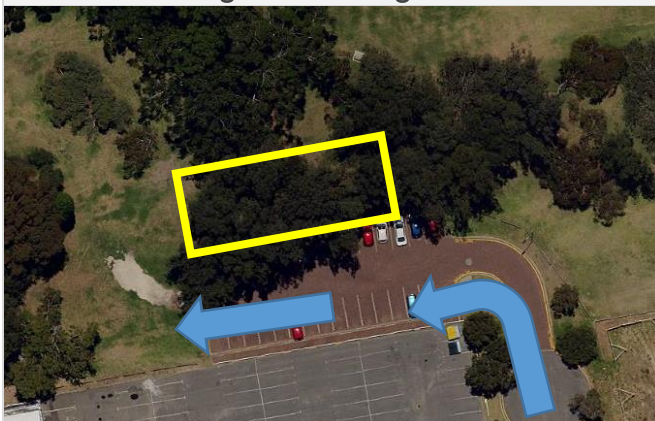
Trading Hours: Daytime (7AM to 5PM) AND evening trading (5PM to 9PM)

- Vendor Access and Location Notes:**
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.

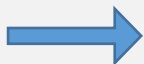


Designated Trading Area A

Designated Trading Area B



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles


No. of vendors: Maximum of six (6) mobile food vendors per trading area at any one time

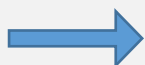
Trading Hours: Daytime trading ONLY from 7AM to 5PM

Vendor Access and Location Notes:

1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.



 Designated Trading Area Boundary

 Point of access and egress for mobile food vehicles

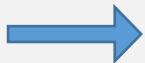
No. of vendors: Maximum of six (6) mobile food vendors operating at any one time

Trading Hours: Daytime (7AM to 5PM) AND evening trading (5PM to 9PM)

- Vendor Access and Location Notes:**
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.



Designated Trading Area Boundary

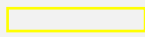


Point of access and egress for mobile food vehicles

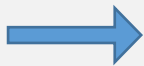
No. of vendors: Maximum of six (6) mobile food vendors operating at any one time

Trading Hours: Daytime (7AM to 5PM) AND evening trading (5PM to 9PM)

- Vendor Access and Location Notes:
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles

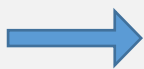
No. of vendors: Maximum of six (6) mobile food vendors operating at any one time

Trading Hours: Daytime (7AM to 5PM) AND evening trading (5PM to 9PM)

- Vendor Access and Location Notes:**
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles

No. of vendors: Maximum of six (6) mobile food vendors operating at any one time

Trading Hours: Daytime trading ONLY from 7AM to 5PM

- Vendor Access and Location Notes:**
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
 2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.

Other: At the time of adoption of this Policy, this public open space is the location of an approved event on Friday evenings. Permit holders are not permitted to trade at this event without the prior consent of the event operator/organiser.



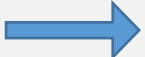
Designated Trading Area A

Designated Trading Area B

Designated Trading Area C



 Designated Trading Area Boundary

 Point of access and egress for mobile food vehicles

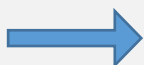
No. of vendors: Maximum of six (6) mobile food vendors per trading area operating at any one time

Trading Hours: Daytime (7AM to 5PM) AND evening trading (5PM to 9PM)

Vendor Access and Location Notes: 1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.



 Designated Trading Area Boundary

 Point of access and egress for mobile food vehicles

No. of vendors: Maximum of six (6) mobile food vendors operating at any one time

Trading Hours: Daytime (7AM to 5PM) AND evening trading (5PM to 9PM)

Vendor Access and Location Notes:

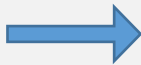
1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.

Raphael Park

Gloucester Street, Victoria Park



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles

No. of vendors:

Maximum of eight (8) mobile food vendors operating at any one time

Trading Hours:

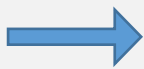
Daytime (7AM to 5PM) AND evening trading (5PM to 9PM)

Vendor Access and Location Notes:

1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.



Designated Trading Area Boundary



Point of access and egress for mobile food vehicles

No. of vendors: Maximum of six (6) mobile food vendors operating at any one time

Trading Hours: Daytime trading ONLY from 7AM to 5PM

Vendor Access and Location Notes:

1. ALL Mobile Food Vendors must be parked/arranged so as not to obstruct entry gates and vehicular access onto the main public open space or its buildings in the event of an emergency.
2. ALL mobile food vehicles (including all towing vehicles) are to travel along the periphery of the public open space when accessing or exiting the Designated Trading Area(s) and not travel across the main public open space/playing field area.

(To be confirmed 14 August 2018)

RESOLVED:**Moved: Cr Anderson****Seconded: Cr Ife**

That the Future Planning Committee Recommendation/s for Items 14.5 to 14.11 be adopted by exception resolution by Absolute Majority.

The Motion was Put and CARRIED BY AN ABSOLUTE MAJORITY (8-0)

In favour of the Motion: Mayor Vaughan; Cr Anderson; Cr Ife; Cr Jacobs; Cr Oliver; Cr R Potter; Cr V Potter; and Cr Vernon

FUTURE PLANNING COMMITTEE

14.5 Recommendation from the Future Planning Committee - Draft HLTH6 Mobile Food Vendors (Vic Park Vendor's) Policy

File Reference:	PLA/6/41
Appendices:	1. Draft HLTH6 Mobile Food Vendors (Vic Park Vendor's) Policy 2. Summary Report of Preliminary Consultation Outcomes 3. Submission from Restaurant and Caterers Association
Attachments:	No
Date:	11 June 2018
Reporting Officer:	L. Parker
Responsible Officer:	R. Cruickshank
Voting Requirement:	Simple Majority
Executive Summary:	
<p>Recommendation – The Future Planning Committee recommends to Council that the draft HLTH6 Mobile Food Vendors Policy be advertised for public comment.</p> <ul style="list-style-type: none"> • A draft Policy has been prepared to establish and guide the appropriate location, management and operation of mobile food vendors with the Town. • The Policy builds on a previous proposal to trial mobile food vending at a number of public open spaces within the Town as a means of increasing the activation and enjoyment of the Town's public open spaces. • Preliminary consultation undertaken in January to February 2018 indicated a high level of community support for mobile food vending to occur at public open spaces within the Town. • In preparing the draft Policy a focus has been to provide flexibility, choice and diversity of mobile food vendors, minimise and/or remove the need to obtain multiple permits and to locate vendors at locations that are lacking in nearby food choices so as to provide convenience and choice to residents, as well as minimise potential conflict with established "bricks and mortar" food businesses. • It is intended for the Policy to be trialled for the 2018/2019 summer trading period from November to March, with a review to follow in Autumn 2019. • It is recommended that the draft Policy be advertised for public comment and consultation with key external stakeholders and relevant State Government agencies. 	

(To be confirmed 14 August 2018)

TABLED ITEMS:

Nil

BACKGROUND:Preliminary Consultation

Preliminary community consultation was undertaken from 16 January to 7 February 2018 through the Town's 'Your Thoughts' online consultation hub. The purpose of the preliminary consultation was to gauge whether a general level of support for mobile food vendor trading exists and to identify a range of the possible concerns or expectations that the community may have in relation to the operation of mobile food vendors to help inform and guide the development of a draft Policy.

This engagement involved the following:

- Your Thoughts online consultation hub
 - Community Survey, Pin a Place, Ask a Question, Quick Poll, FAQs
- Advertisements in Southern Gazette and on social media calling for submissions
- Community Survey:
 - basic questions to help underpin and establish policy direction;
 - identify desirability of food trucks/mobile food vendors in the Town; and
 - where and when people do or don't wish to see mobile food vendors operating.

There were a total of 574 visits to the Your Thoughts consultation page for the project during the consultation period. Of these:

- 497 visitors were 'aware participants' (individuals accessing the project home page);
- 346 were 'informed participants' (visited the Key Dates page, viewed FAQs, visited multiple pages or contributed to a tool);
- 118 participated in the Community Survey;
- 107 participated in the Quick Poll, with 76% of respondents indicating they support mobile food vendors operating in the Town;
- 3 asked questions;
- 24 pinned a place on a Map; and
- 93 new user registrations to Your Thoughts.

Community Survey Results

The majority of submissions were received from residents, ratepayers and/or property owners within the Town. The 118 submissions identified the following with respect to the trading of mobile food vendors within the Town:

- 78% of respondents agreed that mobile food vendors could fill a particular niche or demand not currently being met in the community;
- The top concerns raised included impact on local businesses, proximity to restaurants, waste management and noise;
- 54% thought that food trucks should be located in specific locations only, rather than anywhere in the Town;
- 59% indicated that there are locations where they should not operate, with the most common reply being "not near existing restaurants and cafes";
- 52% felt that operating hours should be limited;

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- 86% indicated that mobile food vendors should be able to co-locate (cluster), with 72% supporting no limit on the number of vendors subject to adequate space and facilities/infrastructure being available to accommodate vendors and their customers; and
- 79% indicated that they would specifically seek out food mobile food vendors if they were aware they were operating within the Town.

A summary report of the consultation outcomes is included in the Appendices.

'Pin a Place' Results

- 71 visitors, 57 contributions from 24 visitors (average of 2 or 3 locations nominated)
- 24 locations nominated for Food Trucks – 20 of these were public open spaces, 2 train stations, and 2 road/shop locations.

WA Mobile Food Vendors Association

The WA Mobile Food Vendors Association have indicated general support and interest in mobile food vendors operating within the Town. It is expected they will provide further detailed comments during the recommended consultation for the draft policy.

Restaurant and Caterers Association

The Restaurant and Caterers Association (R&CA) were directly consulted during the preliminary consultation phase and provided an initial submission on behalf of its members (Appendices 3). The recommendations requested by the R&CA for consideration by Council Officers in the development of the draft Policy are listed and responded to in the Comments section of this report.

Progress/Policy Development Updates to Future Planning Committee

The outcomes of the preliminary consultation and updates on the development and likely form of the draft policy were discussed as workshop items at the February 2018 and April 2018 Future Planning Committee Meetings (Appendices 3 and 4). The discussions during these meetings indicated a general level of support for the likely direction and form of the draft policy.

DETAILS:

A draft Policy has been prepared to establish and guide the appropriate location, management and operation of mobile food vendors with the Town (Appendices 1).

The Town does not have an adopted policy position with respect to the location or regulation of mobile food vendors, and applications to trade within the Town are assessed on an ad hoc basis, and may require multiple forms of approval depending on whether they are located on Council property, privately owned land, public open spaces, car parks or on the roadside.

The Policy builds on a previous proposal to trial mobile food vending at a number of public open spaces within the Town as a means of increasing the activation and enjoyment of the Town's public open spaces.

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In preparing the draft Policy a focus has been to provide flexibility, choice and diversity of mobile food vendors, minimise and/or remove the need to obtain multiple permits and to locate vendors at locations that are lacking in nearby food choices so as to provide convenience and choice to residents.

The draft Policy establishes a new form of 'Trader's Permit' under the *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000*. The name of the new permit is proposed to be called 'Vic Park Vendor's Permit'. Approved 'Vic Park Vendors' would then have conditional approval to trade on the public open spaces identified within the draft Policy.

It is intended for the Policy to be trialled for the 2018/2019 summer trading period from November 2018 to March 2019, with a review to follow in autumn 2019.

The draft Policy is organised as follows:

- Part 1 – General
(Policy application, purpose, objectives and definitions)
- Part 2 – Permit Requirements
(Application requirements, permit conditions, renewal and suspension, events trading, itinerant food vendors)
- Part 3 – Vendor Trading and Location Guidelines
(Approved locations, trading hours, trading at multiple locations, waste management, signage, noise, parking, public liability)
- Part 4 – Approved Designated Trading Areas
(Maps of public open spaces with approved trading areas marked, vehicle access points identified and trading hours/maximum vendor numbers detailed)

Internal Staff Review

The draft Policy has been referred internally to a broad range of staff and service areas that will or are likely to be impacted by its recommended implementation, including Environmental Health, Parks, Waste and Bookings. An initial working group meeting followed by multiple meetings, discussions and correspondence with internal staff have informed development of the draft Policy.

Review of Other Local Government Policies

The draft Policy has been informed by a review of other local government mobile food vehicle/food truck policies, including those of the Cities of Bayswater, Fremantle, Kwinana, Perth, Vincent and Wanneroo.

Community Consultation:

It is recommended that the draft Policy be advertised for public comments and consultation with key external stakeholders and relevant State Government agencies (refer to comments under Legal Compliance below).

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While not a local planning policy, it is recommended that the draft Policy be subjected to a similar level of community consultation, including:

- Letters to owners and occupier of properties immediately surrounding the proposed mobile food vendor trading locations/public open space;
- Emails to known food business contacts, organisations and all submitters that made contributions during the Town's preliminary consultation;
- Advertisement in the Southern Gazette Newspaper;
- Online consultation and invitations to submit comments via the Town's 'Your Thoughts' consultation hub; and
- Advertising/promotion on the Town's online social media platforms.

Legal Compliance:

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000

The Town's *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* (Local Law) provides for the regulation, control and management of activities and trading on public spaces within the Town. The Local Law provides for the Council to adopt a policy in relation to activities for which a permit is required from the Town, as well as the conditions that the granting of a permit may be subject to.

The trading of mobile food vendors on the Town's public open spaces constitutes an activity that requires the granting of a "trader's permit" under the Local Law.

The draft Policy seeks to establish the granting of a specified form of "trader's permit" under the Local Law (proposed to be named "Vic Park Vendor's Permits") and to set out the circumstances, trading requirements and conditions that the granting of such permits may be subject to.

Department of Conservation, Biodiversity and Attractions (DCBA) Approval

Application for a Form 7 Permit under the *Swan and Canning Rivers Management Regulation 2007* is required to be obtained from the Rivers and Estuaries Division of the DCBA in order for mobile food trading to occur at McCallum Park, as it is located within the Swan Canning Riverpark, under the control of the Swan River Trust. The approval process is approximately 4-6 weeks following receipt of the application. Initial enquiries have been made as to whether it will be possible for a single approval to be issued to the Town, rather than requiring individual permits for each mobile food vendor/activity as would usually be the case. Council Officers have been requested to provide a written enquiry with a copy of the draft policy for consideration before a formal response is provided. It is recommended that this occur during the community and stakeholder consultation period.

Department of Planning, Lands and Heritage Consent

Written consent is likely to be required for mobile food vendor trading to occur at McCallum Park and Edward Millen Park, under Section 75 of the *Land Administration Act 1997*, as these Crown land sites are conditional tenure land that cannot be the subject of any licence, mortgage, charge, security or other encumbrance without the written approval of the Minister for Lands. The approval process usually takes a number weeks. Initial enquiries have been made as to whether it will be possible for a single 'blanket' type approval to be issued to the Town, rather than requiring individual permissions for each

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mobile food vendor/activity as would usually be the case in relation to a specific event or activity occurring for a defined time period. Council Officers have been requested to provide a written enquiry with a copy of the draft policy for consideration before a formal response is provided. It is recommended that this occur during the community and stakeholder consultation period.

Policy Implications:

The draft Policy is aligned with, and assists in achieving a number of the aims and objectives contained in a broad range of the Town's adopted Strategies and Policies. These are outlined below.

Strategic Community Plan 2017-2032

The Town's Strategic Community Plan is the principal strategy outlining the long-term vision, values, aspirations and priorities for the Town of Victoria Park for the next 15 years. The policy aligns with the plan by embracing the following strategic outcomes:

- Social - The outcome is to provide an environment where the community can live a safe, healthy and active life with opportunities to participate in socially diverse and culturally rich activities and exchanges.
 - S1 – A healthy community.
 - S3 – An empowered community with a sense of pride, safety and belonging.
 - S4 – A place where all people have an awareness and appreciation of arts, culture, education and heritage.
- Economic - The outcome is to provide the community with a vibrant, strong and sustainable local economy as well as a range of business and employment opportunities.
 - EC1 – A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.
 - EC2 – A clean, safe and accessible place to visit.
- Environment – The Town's natural environment (including parks and reserves) have been enhanced and protected, providing options for a cleaner, healthier lifestyle.
 - EN6 – Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.

Safer Neighbourhoods Plan 2017-2022

The draft Policy supports Crime Priority Area 3 contained in the Safer Neighbourhoods Plan to support and encourage inclusive and socially connected streets and neighbourhoods, by promoting social inclusion and connectedness and increasing the activation and vibrancy of the Town's public open spaces.

Events and Place Activation Strategy 2017-2018

The draft policy is consistent with the following objectives of the Events and Place Activation Strategy:

- Foster community pride and involvement in a diverse and vibrant Town – through activation and celebration of people, spaces and places, and creating an inclusive environment for people to live, work and play.
- To be a destination of choice by – attracting and increasing visitors to the Town, fostering and facilitating a destination rich with experiences for everyone to enjoy, and creating the right environment for events and activation to succeed.

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- Destination development – encourage local residents and community groups to activate local spaces and places through community-driven initiatives and events.
- Place activation – investigate and pursue opportunities to activate local street and neighbourhood spaces with events (not just along Albany Highway and East Victoria Park).
- The Town will maintain, enhance and develop Town infrastructure and resources, including parks and reserves, to activate local spaces and to attract visitors to the Town.
- Identify and implement new and innovative methods to support best practise approach and capitalise on emerging opportunities in relation to event and place activation within the Town.

Disability Access and Inclusion Plan 2017-2022 (DAIP)

The draft Policy has been prepared in alignment with the outcomes of the DAIP, most notably ensuring that events organised by the Town are planned and delivered in accordance with the Disability Service Commission's 'Creating Accessible Events Checklist'. This checklist has been integrated into the Town's Operational Events Guide and supporting Accessibility Checklist, which focuses on ensuring events held in external environments are accessible for people with a disability by providing a continuous, even accessible path of travel.

Efforts have been made to ensure that the proposed Designated Trading Areas are conveniently located, close to public car parking areas (and disabled car parking bays) and are on predominantly flat, accessible areas of the relevant public open spaces.

Healthy Vic Park Plan 2017-2022

The draft Policy is aligned with the following "Community Visions" and associated actions contained in the Healthy Vic Park Plan under the Key Areas of 'Healthy People and Community' and 'Healthy Business and Events':

- There is healthy air, water and land for me to recreate and live:
 - Action 2 – Implement and adhere to legislative requirements as defined in the Food Act, Environmental Protection Act, etc.
- There are activated and exciting urban spaces for me to socialise with others.
- I am connected and supported by my community:
 - Action 1 – Deliver programs and initiatives that encourage resilience and positive mental health
 - Action 4 – Link and foster socially inclusive opportunities for all residents, including culturally and linguistically diverse community members, Aboriginal people, seniors, people with a disability, youth with complex needs and young families.
- There are social events for me:
 - Action 1 – Deliver events that create community connectedness and cohesion
 - Action 2 – Promote and encourage premier public events in the local community
 - Community Vision: My local government leads by example when it comes to being a healthy business.
 - Action 5 – Ensure health is considered and incorporated into new and reviewed plans and policies.

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- There’s a healthy and safe food option for me.
 - Action 1 – Offer healthy eating alternatives at events
 - Action 2 – Monitor and educate food business around food safety initiatives
 - Action 3 – Work directly with and support food businesses and outlets to provide healthy food options

Risk Management Considerations:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Continued ad hoc consideration of mobile food vending applications, multiple application types and general lack of any mobile food vendor trading in the Town (aside from organised events) if a Policy is not adopted.	Moderate	Likely	Low	Support the proposed draft Policy for the purposes of community consultation, including consultation with industry organisations, relevant State Government agencies, local food businesses and directly with mobile food vendors. This feedback to then inform further changes/improvements to the draft Policy, prior to an anticipated recommended trial implementation from November 2018 to March 2019, with a subsequent review/evaluation of its success to occur in April to May 2019. Development of internal procedures, education and training of staff will also be required to effectively administer the Policy and maximise its potential success.

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General lack of policy success and therefore waste of Council resources in its development/implementation.	Moderate	Unlikely	Low
Significant opposition from local residents and existing food businesses to the nearby trading of mobile food vehicles	Moderate	Unlikely	Low
Inability to attract mobile food vendors and realise potential benefits of mobile food vendors to the community	Significant	Unlikely	Medium
Trading area locations that are not successful due to a range of potential factors (e.g lack of information/awareness, lack of exposure, insufficient customers, etc.)	Moderate	Some likelihood of occurring	Medium
Damage to public open spaces and increased littering and inappropriate disposal of food waste/containers	Low to moderate	Some likelihood of occurring	Low
Traffic and noise impacts to surrounding residents	Moderate	Some likelihood of occurring	Low
Excessive fees that discourage mobile food vendors or insufficient fees that do not recover the additional costs for Council staff and resources in implementing the policy or managing/mitigating potential adverse impacts.	Moderate	Unlikely	Low

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Inability to obtain consent/statutory approvals from relevant Stage Government agencies to allow for mobile food vendor trading at McCallum Park and Edward Millen Park.	Low	Unlikely	Low
Internal staff opposition or lack of policy 'buy in' of staff to effectively implement and administer the Policy due to its cross-functional nature.	Low to moderate	Some likelihood of occurring	Low
Ineffective or delayed review/evaluation of policy trial.	Low to moderate	Some likelihood of	Low

Sustainability Assessment:

External Economic Implications:

The draft Policy will provide a platform for mobile food vendors to trade within the Town, supporting the growth of existing and new small businesses. While efforts have been made to locate the majority of proposed Designated Trading Areas at public open spaces situated a significant distance from existing 'bricks and mortar' establishments, there is evidence that rather than directly competing with these businesses, mobile food vendors can attract additional visitors and customers to their trading locations than would otherwise normally occur, which can have a positive impact on the trading of nearby established traders.

Notwithstanding, a major objective of the Policy is to increase choice and diversity where only limited food options exist and to increase the activation of the Town's public open spaces. Therefore, these objectives support mobile food vendor trading away from locations where a large number of food businesses already exist, in any case.

Cultural Issues:

The draft Policy has potential to provide a platform for the small business community to showcase and provide culturally diverse, unique and interesting food choices to the local community. The ability for food to serve as a medium for cultural exchange and the celebration of cultural diversity may also contribute to positive cultural and social outcomes.

Environmental Issues:

The Vendor Guidelines contained within the draft Policy include an emphasis on ensuring that potential environmental impacts arising from the trading of mobile food vendors are minimised and avoided. These include provisions requiring traders to provide bins for the

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disposal of patron waste, to have receptacles for the collection of any waste water or other emissions from the mobile food vehicles themselves, and provisions regarding their operation or setting up to avoid damages to the public open spaces, Council buildings or vegetation.

The ability for enforcement action (e.g. infringement or suspension of trading permits) to occur as a result of damages caused by traders exists under the Local Law, and adherence to these requirements will be encouraged/enforceable as part of the conditions able to be applied to the conditions of the proposed 'Vic Park Vendor's Permits'.

There is a risk that the ability to enforce these requirements or penalise offenders may be limited due to difficulty in identifying the party responsible for any damages, particularly if the damage occurs during the trading of multiple vendors or if the damage arises from the actions of customers/the public rather than the traders themselves. However, it is considered that these potential issues can be managed/minimised through a variety of measures, including the following:

- Evaluation and review following the proposed initial trial of the policy;
- Continued communication and education of mobile food vendors by Council staff;
- Potential changes to the provision of facilities by Council (e.g. more Council bins or public seating); and
- Changes to the scale or timing of activities that are permitted to occur at the proposed Designated Trading Areas (e.g. reducing the maximum number of mobile food vehicles permitted to trade at a given time, 'resting' or alternating the trading areas to provide increased turf recovery times, etc.).

COMMENT:

The proposed Policy will enable the Town to establish a platform for the trading of mobile food vehicles within the Town and share in the positive activation and community benefits that can arise from their trade, as has been witnessed in a number of local government areas throughout the Perth Metropolitan area and more broadly in other centres nationally and internationally.

There is a growing trend for local governments to provide opportunities for mobile food vendors and other activities such as weekend markets and festivals, to facilitate enjoyable, interesting, unique and convenient leisure and recreational opportunities for residents, families and other members of the community to experience in their local area.

The addition of diverse and convenient food options at a number of the Town's public open spaces provides the potential for their increased activation and utilisation by the community, and the ability for residents and families to enjoy these spaces for longer periods of time, in a richer, and more socially inclusive manner. Some of the potential benefits include:

- greater social connectedness;
- opportunities for community members to meet or build on existing relationships with their neighbours;

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- supporting other activities occurring in public open spaces by providing convenient food options for families or spectators (e.g. at sporting events/matches (with permission), before or after undertaking outdoor exercise or by responsible parents/caretakers supervising the use of playground equipment by their children); and
- fostering a greater attachment to the local community and an enhanced sense of place.

The key features of the draft Policy are described in the ‘Details’ section above.

Submission from Restaurant and Caterers Association

The recommendations requested in the submission from R&CA are listed and responded to below.

Recommendation from R&CA	Council Officers Comments
1. That no mobile food vendors are permitted to operate within a 100-metre radius of an existing café or restaurant business. This rule would only apply during the normal operating hours of these existing food business.	Supported in part – A major objective of the policy is to provide greater choice and diversity of food options in locations where currently little exists. However, subject to the consultation and having regard to the types of food offers available, there may be instances where existing business can comfortably (and even benefit) from the nearby trading of mobile food vendors, through the additional attraction of potential customers to their vicinity.
2. The Town impose a limit on the overall number of mobile food vendors permitted to operate within its boundaries at any one time.	Supported in part – The draft policy proposes a maximum number of mobile food vendors that can trade at any one location at one time. The total number of vendors able to trade across all locations at any one time is 94, however many of the proposed locations will have one or no mobile food vendors operating on them for much of the available trading times, as sufficient numbers of potential customers/park users to make trading financially viable will occur only infrequently if at all – e.g. on weekends, Friday nights, public holidays or celebrations, etc.. Accordingly, the potential competition that mobile food vendors could have with the approximately 250+ bricks and mortar businesses operating within the Town is considered minimal.
3. That there should be only incremental increases in the number of operators permitted to trade each year to allow the Town of Victoria Park a sufficient opportunity to monitor the impact of mobile food vendors on existing businesses.	Supported in part – The draft policy is proposed to be subjected to rigorous community consultation and implementation on a trial basis, followed by a review following the trial. It is not anticipated that the trial will identify a substantial demand for mobile food vendor trading higher than that proposed, and the trading of mobile food vendors is likely to be self-limiting due to limited exposure and numbers of potential customers at the designated trading areas.

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Recommendation from R&CA	Council Officers Comments
4. That the operation of mobile food businesses be subject to all applicable regulations that existing food businesses are required to comply with.	Supported – As food businesses, mobile food vendors are subject to the same or similar Environmental Health food and safety regulations/legislation that is applicable to bricks and mortar food businesses.
5. That the same standards of enforcement must also apply to mobile food vendors as existing food businesses.	Supported – As above. Additionally, provision under the Thoroughfares Local Law provides Council the ability to infringe non-compliant food vendors or to suspend or cancel a Vic Park Vendor’s Permit where a breach of the permit conditions (and by extension the draft Policy), or Local Law occurs.
6. That the maximum permit cost paid by mobile food vendors reflects the commercial value of trading in certain precincts, and is comparable to the Council rates applied to the operation of bricks and mortar food businesses.	To be considered at later stage. Refer to comments below in relation to Permit Fees.
7. The Town explicitly outline its support for existing bricks and mortar food businesses in all relevant Council collateral and communication material regarding the regulation of mobile food vendors.	Supported in part – The Town actively supports and promotes bricks and mortar food businesses in a number of its strategies and projects, including the Albany Highway Activation Project, various economic development projects and the recently implemented ‘Eat, Ride n Enjoy’ campaign. The draft Policy objectives include reference to existing bricks and mortar businesses and the consideration of proximity/competition to these as a contributing factor in the selection of the proposed designated trading areas.

Selection and Evaluation of Proposed Designated Trading Areas

The initial draft of the Policy considered both the public open spaces identified by the community as potential locations they would like to see mobile food vendors trading within the Town during the preliminary consultation, as well as the following additional factors:

- Public car parking bays (including disabled access bay(s)) and their proximity to suitable mobile food vendor trading locations;
- Flood lighting (so as to permit night time (dinner) trading);
- Availability of public toilets;
- Amenities and other infrastructure associated with prolonged use/enjoyment of the public open space (and therefore higher propensity for purchase of food/beverages) – i.e. benches/seating, children’s playgrounds, shaded grassed areas/picnic spots, etc.
- Site conditions and topography – public open space
- Vehicular access onto the public open spaces
- Size of the public open space - Capacity of proposed locations to accommodate mobile food vendor vehicles;
- Location/proximity to existing bricks and mortar food premises; and

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- Potential benefits that may be gained through increased activation (e.g. reduced crime/antisocial behaviour, increased use of under-utilised public open space, increased awareness/enjoyment of the Town's heritage, etc.)

A number of the locations do not achieve all of the above criteria, notably Edward Millen Park, John Macmillan Park and Rayment Park, which are located in close proximity to existing bricks and mortar food businesses. It is considered that on balance and subject to community consultation that these locations represent important and unique opportunities for increased activation and utilisation of these public open spaces by the community. The additional competition brought by mobile food vendors at these select locations is not considered significant and may even increase patronage of local businesses by attracting more people to the area.

Following further review (including site inspections and internal staff liaison) the initial draft was revised resulting in the following changes:

- Carlisle Reserve – Designated trading area originally located near playground/oval scoreboard which is narrow and at risk of conflicting with playground users, oval users/players and spectators. Relocated to larger grassed area adjacent to car park vehicle entry gate. Location also replaces removed Fletcher Park trading location.
- Fletcher Park – Removed as a trading location as responsibility for maintenance and management of the public open spaces rests with the WA Cricket Association.
- G O Edwards Reserve – Reduction in maximum vendor numbers at Designated Trading Area B due to limited size of the grassed area adjacent to the recently installed nature playground;
- Higgins Park - the removal of a second designated trading area at Higgins Park (at corner of Hill View Terrace and Creaton Street) due to steep slope of this location and significant distance away from other park amenities and facilities.

Permit Fees

Determination of the appropriate fee to charge Vic Park Vendor's Permit holders is yet to be conducted. Whilst there have been calls by the R&CA and some established food businesses that the charges imposed should equate to those applicable to bricks and mortar food businesses, a number of factors will need to be considered by the Council. These include the costs to Council in administering the Policy, ensuring balance/equity between the various fees charged for the various permit types issued by the Town for food businesses, as well as the high seasonality of trade of mobile food vendors.

Notwithstanding, it is recommended that for the duration of any trial implementation of the Policy, that fees for the assessment and granting of Vic Park Vendor's Permits to approved mobile food vendors not be charged, so as to maximise the attraction and take-up of mobile food vendors to trade as part of the trial. This will encourage greater numbers of traders to the Town and provide the community and the Town with increased opportunity to experience and evaluate the impacts of their trade (negative and positive). It should also be noted that the waiving of fees would be consistent with the Town's approach alfresco dining for brick and mortar food businesses.

Payment of a \$100 bond for keys to access the secured gates to the reserves will continue to be charged as for all other park users/normal reserve hire processes, to cover the Town's costs for replacement of lost or stolen keys that are issued to mobile food vendors.

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This will then be refunded upon the return of the key to the Town (i.e. at the conclusion of the recommended trial).

CONCLUSION:

It is recommended that the Future Planning Committee recommend to Council that the draft HLTH6 'Mobile Food Vendors Policy' (see Appendices), be advertised for public comment and consultation with key external stakeholders. A further report will be presented to Council in the future following the conclusion of the advertising period, reporting on any submissions received, and seeking a final decision from Council as to whether or not to adopt the draft Policy (in its current form or in a modified form informed by the results of the community consultation and further review/refinement).

If adopted, and subject to the proposed locations being supported by the community and ultimately Council, there may be a number of implementation measures (subject to further detailed site evaluations) required to facilitate trading at each of the sites (e.g. access, facilities maintenance, trading area boundaries at each location, etc.).

There will also be additional regulatory approvals required to be obtained from the Department of Biodiversity, Conservation and Attractions, and the Department of Planning, Lands and Heritage to facilitate trading at McCallum Park and Edward Millen Park, as proposed under the Policy. It is recommended that these be pursued during the public consultation process as they may take approximately two months to obtain or may need to be removed from the draft Policy if the required approvals/consents are not forthcoming.

RESOLVED BY EXCEPTION RESOLUTION:

Moved: Cr Anderson

Seconded: Cr Ife

That Council authorises public advertising of the draft policy 'HLTH6 Mobile Food Vendors (Vic Park Vendor's) Policy' as contained in the Appendices, including consultation with key stakeholders and relevant organisations, for a period of 21 days, and that the outcomes of the public advertising and consultation be summarised in a further report to the Council prior to adoption of a final Policy for implementation on a trial basis.

CARRIED (8-0)

8.4 Burswood Station East Structure Plan: Project Update and Developer Contribution Plan Analysis

INDICATIVE TIMELINE FOR BURSWOOD STATION EAST APPROVALS PROCESSES

Dates in pink are scheduled / projected OCM
 Actions in green are statutory processes for LSP
 Actions in blue are statutory processes for AMD
 Actions in purple are statutory processes for LPP

