

MOBILE FOOD TRADING POLICY

Previous policy number: 3.2.11

Policy Statement

The Council supports the use of identified public spaces for mobile food and beverage trading as a means to enhance community activity.

This policy allows for high quality mobile food trading within the Town of Mosman Park, specifically on land under the care, control and management of the Town of Mosman Park, in a manner that:

1. Increases the overall vibrancy and character of the Town
2. Provides activation and passive surveillance to public places
3. Manages the demand from the Mosman Park community; and
4. Does not unfairly compete with the Town's existing bricks and mortar businesses.

This policy is applicable to mobile food traders within the Town, and does not relate to approved alfresco facilities, markets, street entertainers, or trading at events or on Town Land under a lease.

Policy Details

The objective of this Policy is to set out a framework for managing the commercial use of Town Land by mobile food traders. Mobile food trading activities can generally be classified as Fixed Trading or Itinerant Trading:

1. Fixed Trading may occur on Town Land at Designated Sites, and, at other locations approved at the discretion of the CEO.
2. Designated Sites will be determined by the CEO, generally for a particular type of Trading, and will be periodically reviewed.
3. Applications for Fixed Trading permits at Designated Sites and for Itinerant Trading permits will be issued at the discretion of the CEO. Where there is a high level of interest in a particular location, an Expression of Interest process may be undertaken.
4. Permits will be issued for one year, with, at the CEO's discretion, up to two one year options for renewal.

5. Criteria that will be considered when assessing applications to use Town Land for Trading include:
 - a. The type and regularity of the activity as it relates to its location
 - b. The potential economic benefit of the activity to the Town of Mosman Park
 - c. The potential impact on the surrounding existing businesses
 - d. The impact of the activity on the surrounding amenity
 - e. The cost to ratepayers of facilitating the activity
 - f. The experience and capacity of the applicant to operate the activity
 - g. The contribution the applicant makes, or is anticipated to make, to the vibrancy of the Town and its public places; and
 - h. Other considerations outlined in relevant Town of Mosman Park local laws.
6. Applications to use Town Land for Fixed Trading outside of Designated Sites will be considered against the objectives of this Policy and the criteria outlined in paragraph 5.
7. The CEO, at their discretion, may limit the number of permits for Itinerant Traders.
8. Fees for the use of Town Land will be as per the Town's Fees and Charges, reviewed annually.

Definitions

Designated Sites – pre-determined site for Fixed Trading

Itinerant food trader – a mobile vehicle that operates from place to place on a roaming basis with a set time limit

Mobile food trader – a mobile vehicle that operates from a particular location for fixed periods of time

Town Land – Land owned or managed by the Town

Trading –

- *the selling or hiring of, the offering for sale or hire of, or the soliciting of orders for goods or services; and*
- *the displaying of goods for the purpose of offering or inviting offers for their sale or hire, soliciting orders for them or carrying out any other transaction in relation to them; and*
- *the selling of a service for profit*

Governance References

Statutory Compliance	<p><i>Local Government Act 1995</i></p> <p><i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law</i></p> <p><i>Food Act 2008</i></p>
Organisational Compliance	<p><i>Mobile Food Trading Guidelines</i></p>

Policy Administration

Directorate:		Officer title:
Planning and Operations		Director Planning and Operations
Next Review		Review Cycle
August 2022		2 yearly
Version	Date	Ref
1	15 December 2020	OCM-195-2020
2		
3		