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COMMUNITY ENGAGEMENT REPORT

DRAFT MOBILE FOOD VENDORS POLICY P0049 AND PROPOSED LOCATIONS FOR MOBILE FOOD VENDORS (LOCATION RULES)



February 2018

COMMUNITY ENGAGEMENT REPORT

Purpose of report

To provide information to the public and seek public feedback in relation to the draft Mobile Food Vendors Policy and the introduction of locations where Mobile Food Vendors can operate from.

Background

Council's Mobile Vendors Policy PO049 was adopted in 2013 as a result of increasing requests by mobile food vendors to set up in strategic locations during peak tourism times. In order to maintain continuity between brick and mortar businesses and mobile vendors, Council endorsed that mobile vendors should not replicate the service of an existing fixed business premises and their permit conditions required the vendor to be transient (only allowing them to stop to serve a customer).

Legislation regarding Mobile Food Vendors was recently reviewed by the State Government mainly as a result of the angst amongst mobile food vendors in Adelaide. As a result of the significant changes to the legislation, Council's PO049 Mobile Food Vendors Policy has been completely rewritten.

The changes to legislation include:

- Councils must grant a permit to mobile food vending businesses
- Councils must prepare and adopt rules (location rules) that set out locations within the council area in which mobile food vending businesses may operate and must comply with any requirement specified by the Minister
- A council must amend its location rules in order to comply with any direction given by the Small Business Commissioner
- All disputes in relation to the location rules can be reviewed by the Small Business Commissioner
- Councils are prohibited from restricting the kind of food that may be sold by a mobile vending business
- Councils must allow a permit holder to elect to pay either an annual or monthly fee
- Councils must not impose a fee exceeding \$2,000 in the case of an annual fee or \$200 per month in the case of a monthly fee
- Councils must ensure that a copy of its location rules is published on their web site.

Discussion

The draft Mobile Food Vending Policy has been re written to comply with legislative requirements.

When adopting Location Rules a council must take into account:

- Consideration should be given to provide a reasonable distance between mobile food vendors and a fixed food business during the operating hours of fixed food business
- The effect on the operation of the mobile food business on:
 - Vehicle and pedestrian traffic, access to buildings and persons with disabilities
 - The availability of parking spaces in the vicinity
 - Residents and Businesses at the locations where a mobile food vending business may operate under the location rules
- Interference with vehicles and road related infrastructure

- Any other relevant requirement or legislative provision.

Currently, Council has a set annual fee of \$365 for mobile vendor permits. In line with the legislative changes, it is proposed that a new fee of \$200 be applied for a monthly mobile vendor permit and \$2,000 an annual permit.

In order to commence the community engagement process, this report contains suggested sites that could be adopted by Council for this type of activity. It is anticipated once Council has adopted Location Rules for mobile food vendors, further requests maybe received to consider adding other endorsed locations to the list.

The following locations are being proposed for the consultation:

- Federation Corner Car Park, Yorke Highway, Port Arthur
- Port Giles Carpark
- East Terrace, Ardrossan, car park adjacent playground
- O'Halloran Parade, Edithburgh, adjacent to Tidal pool
- Slow Street, Marion Bay, adjacent Community Centre
- Currumulka Road, Minlaton, car park Harry Butter Memorial
- Esplanade Point Turton, adjacent playground
- Edwardes Street, Port Victoria, reserve just south of Marshall Road
- Marine Parade, Port Vincent, car park adjacent jetty
- Anzac Parade Stansbury, car park adjacent old boat ramp
- Stansbury Road, Yorketown, car park Weaners Reserve
- Yorke Highway, Ardrossan – adjacent Viterra
- Spence Highway, Maitland – adjacent Australian Wheat Board Grainflow
- Black Point Drive, Black Point
- Marine Parade, Port Moorowie
- Tiddy Widdy Beach Road, Tiddy Widdy Beach
- Esplanade, Wool Bay
- Rogues Point Road, James Well
- 19 designated bush camping locations

Maps of these proposed locations can be located in a separate document “Mobile Food Vendors – Proposed Locations – (location Rules). Council is also seeking public comment in relation to the suitability of these sites and seeks public comment on other suitable sites that may be considered by Council. All public feedback will be considered by Council, who will then adopt the Mobile Food Vendors Policy and Location Rules as to where Mobile Food Vendors may operate from.

For further enquiries about the Policy and Location Rules contact Phil Herrmann, Senior Compliance Officer of 8832 0000.

Written submissions are to be receive no later than 20 March 2018, addressed “Mobile Food Vendors and Location Rules” and can be forwarded to:

Yorke Peninsula Council
PO Box 57 MAITLAND SA 5573
Or via email admin@yorke.sa.gov.au

Public Notice



YORKE PENINSULA COUNCIL

COMMUNITY ENGAGEMENT

DRAFT MOBILE FOOD VENDORS POLICY AND LOCATION RULES

In line with Council's commitment to engaging the community, Council is seeking written comments from the public in relation to the draft Mobile Food Vendors Policy PO049 and the proposed locations where Mobile Food Vendors can operate from.

A consultation report and the draft Policy is available at Council offices and on Council's website at www.yorke.sa.gov.au

For further enquiries about the Policy and Location Rules contact Phil Herrmann, Senior Compliance Officer of 8832 0000.

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Andrew Cameron
Chief Executive Officer