

PURPOSE

This Policy sets out Council's position in respect to:

- Where mobile food businesses are permitted to operate at on Council properties; and
- The Council's requirements to operate a mobile food business at these sites.

SCOPE

This Policy applies to all mobile food businesses operating at property that is owned or managed by the Glenorchy City Council.

This Policy does not apply to mobile food businesses operating on non-Council property. If a location for a food van is not on a site that is owned or managed by Council, then the vendor must seek permission from the property owner and ensure that the proposed food van operation is in accordance with the *Tasmanian Planning Scheme* and any Planning Permit requirements

The Policy does not apply to food vans operating in accordance with an approved Event or Planning Permit.

STRATEGIC PLAN ALIGNMENT

Valuing Our Environment

Objective 3.1 Create a liveable and desirable City.

Strategy 3.1.3 Manage the City's transport network and the associated infrastructure to promote sustainability, accessibility, choice, safety and amenity for all modes of transport.

Leading Our Community

Objective 4.1 Govern in the best interests of our community

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency

RELATED DOCUMENTS

- Glenorchy City Council Footpaths Trading Guidelines
- Glenorchy City Council Footpath Policy
- Glenorchy City Council Event Management Policy
- Department of Health Guidelines for Mobile Food Businesses

STATUTORY REQUIREMENTS

Acts	<i>Local Government (Highways) Act 1982</i> <i>Vehicle and Traffic Act 1999</i>
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	<i>Commonwealth Disability Act (DDA)</i>
Regulations	Glenorchy City Council's <i>Public Place and Infrastructure By-law No 1 of 2021</i> ("By-law")

DEFINITIONS

Council means Glenorchy City Council

Council property means land owned or managed by Council

Food Van means a mobile food business

Mobile Vendor means the operator of a mobile food business

BACKGROUND

Glenorchy City Council recognises that mobile food businesses (food vans) can add to the vibrancy of the City. However, Council is also aware that they need to manage the competing needs and interests of local businesses, residents, consumers and users of the facilities where food vans may be placed.

This Policy has been developed to outline where food vans are permitted to operate at on Council properties, and the Council's requirements to operate at these sites.

Pre-approved locations have been identified for food vans within Council's parks and recreational areas and are detailed in Section 2. Operating food vans outside these pre-approved locations is prohibited unless in accordance with an approved Event or Planning Permit.

POLICY STATEMENT

1. Requirements to operate food vans on Council property

The following are mandatory requirements to operate a food van on Council property.

Food Act Certificate of Registration

- The food van must have a current mobile food business Certificate of Registration issued under the *Food Act 2003*. If you have received a statewide registration under the Act then no further formal approvals are required. If you do not have a current Certificate of Registration for a mobile food business, then you can contact the Environmental Health section of Council to apply. The Department of Health provides guidelines to assist with this process: <https://www.health.tas.gov.au/publications/guidelines-mobile-food-businesses>;

Insurance

- The mobile food vendor must have current Public Liability Insurance (to a minimum of \$20 million).

Location and siting

- The food van must only be used in a location outlined in Section 2.
- Public access to parking, loading, taxi and bus zones, footpaths, roads, driveways and wheelchair access points must not be hindered at any time by the permit holder or their customers. Access to public infrastructure, including public seats, bike racks, rubbish bins, must not be restricted by the permit holder or their customers.
- Mobile vendors are not to provide tables, trestles, tents, chairs, boxes, crates or other seating, dining or shelter infrastructure for customers to use without prior approval in writing from the Council.
- The mobile vendor must also ensure that customers do not queue across or block footpaths, roadways, driveways or other pedestrian or traffic access means.
- Customers must be served from the pedestrian access side of the food van only and not use car parking spaces to serve customer and if within the road reservation, park the vehicle in the direction of the traffic flow.
- Mobile vendors operating adjacent to a footpath within the road reservation must also comply with the Footpath Trading Policy and Guidelines.
- Any protrusions on the food van must not cause hazards to pedestrians or other vehicles.
- Mobile vendors must not leave the vehicle from which they conduct their business parked unattended at an approved site for a period longer than one hour.

Waste Management

- Mobile vendors must place out for use while trading, at least one rubbish bin (minimum 50 litres) adjacent to the serving hatch for refuse, and preferably a second bin for recyclables. All rubbish deposited must be removed by the vendor and disposed of responsibly. Council rubbish bins must not be used to dispose of the vendor's waste.
- The placement of the rubbish bin must not reduce the width of a footpath to less than 1500mm.
- Wastewater and waste oil are not to be deposited into the stormwater system and must be contained according to environmental health standards and correctly disposed of.
- Where Council is forced to undertake extra cleaning or rubbish removal as a direct correlation to the vending activity, the mobile vendor may be required to reimburse Council for these costs.

Noise and Nuisance

- The mobile vendor must, where possible, utilise power sources that generate low or inaudible noise emissions. The mobile vendor must also ensure that noise related to trade, including from customers, does not become a nuisance, and that amplified music or public address systems are not used.

- Vendors must comply with all relevant environmental health laws, and Australian Standards that apply to operating from a mobile vending vehicle. The vehicle should be well presented and clean, and roadworthy, and is not to emit any unnecessary odour or fumes.

Damage to Council Infrastructure

- The mobile vendor is responsible to make good any damage caused to Council assets or infrastructure, in connection with their mobile vending activity. It is recommended that photos of surrounding infrastructure and set up be taken just prior to trading. These photos can support the operator in the case of damage to infrastructure to determine if it was pre-existing and in the case of any complaints.
- Any direct damage caused to Council infrastructure (such as bins, seats, trees, footpaths) by the mobile vendor, will result in the mobile vendor being on-charged for payment of Council's costs for repairing or replacing the damaged infrastructure.

Signage

- Unless authorised in writing, there are to be no electric signs, illuminated, revolving, spinning or flashing signs on or associated with the registered mobile vehicles.

Trading Times

- The permitted trading times at different sites varies due to planning scheme constraints, and as such are shown on the Site Plans of each of the approved food van locations in Appendix 1. A vendor may trade for a maximum of 6 hours in any one location on any given day. The mobile vendor must move the vehicle from the approved location after 6 hours.

General

Council reserves the right to alter, add to or remove any of these requirements at any time, which will be communicated to the operator as soon as possible.

Additionally, Council may change or limit the time, duration, frequency or location that a mobile vendor may trade. External influences such as potentially dangerous weather events, the condition of roads, paths or reserves in the vicinity of the permitted location, as well as planned or unplanned events or works to infrastructure, may require a food van operation to cease.

No compensation for loss of trade will be paid under such circumstances, or where an operator is required to cease due to a breach of the requirements in this Policy.

Council may require documentation or evidence to be provided to demonstrate compliance with this Policy.

Council may require a food vendor to cease operation should the operator breach any of the requirements listed within this guideline. Serious or repeated breaches of these requirements may result in the food vendor being banned from operating on Council property.

2. Approved food van locations

Council has approved several locations within our parks and recreation car parks throughout the Glenorchy municipality for food vans, the current list and site plans of these locations is provided in Attachment 1 below. These locations were selected based on their suitability from a road safety, amenity, and convenience perspective. The approved locations will be annually reviewed and may be subject to additions or changes.

Operating food vans at any other Council property or road reservation is prohibited unless in accordance with an approved Event or Planning Permit.

No booking is required to use these locations for food vans as long as all of the requirements in this Policy are met.

The available spaces are based on a first-in first-served basis. If the spaces are already taken, then the mobile vendor must either wait for another time or move to another approved location.

DOCUMENT CONTROL

Version:	1.0	Adopted	27 June 2022	Commencement Date	27 June 2022
Minutes Reference	27 June 2022			Review Period	4 Years from adoption
Previous Versions:	N/A				
Responsible Directorate	Infrastructure and Works	Controller:	Manager Property, Environment and Waste		
ECM Document No.:	Council Policies				

Appendix 1 – Approved Food Van Location Site Plans

Benjafield Park

7 Gormanston Road, Moonah. **Site plan attached**

Trading times – 8 am to 10 pm (Monday to Sunday, including public holidays)

Berriedale Bay

1 Alcorso Drive, Berriedale. **Site plan attached**

Trading times – 6 am to 10 pm (Monday to Sunday, including public holidays)

Berriedale Centre

631 Main Road, Berriedale. **Site plan attached**

Trading times – 8 am to 10 pm (Monday to Sunday, including public holidays)

Montrose Foreshore

825 Brooker Highway, Montrose. **Site plan attached**

Trading times – 6 am to 10 pm (Monday to Sunday, including public holidays)

Tolosa Park

210 Tolosa Street, Glenorchy. **Site plan attached**

Trading times – park opening hours – 10.30 am to 8 pm during daylight savings, to 4pm other times.

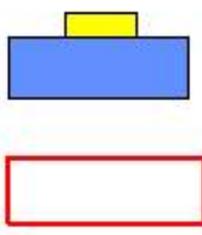
Windermere Bay

26 Cadbury Road, Claremont. **Site plan attached**

Trading times – 8 am to 10 pm (Monday to Sunday, including public holidays)

Benjafield Park - 7 Gormanston Road, Moonah.

Trading times – 8 am to 10 pm (Monday to Sunday, including public holidays)



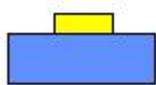
Food Van Locations with yellow area being where food is served from

Area for food van



Berriedale Bay - 1 Alcorso Drive, Berriedale.

Trading times – 6 am to 10 pm (Monday to Sunday, including public holidays)



Food Van Locations with yellow area being where food is served from

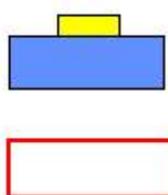


Area for food van



Berriedale Centre - 631 Main Road, Berriedale.

Trading times – 8 am to 10 pm (Monday to Sunday, including public holidays)



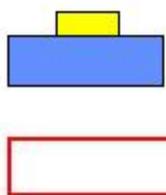
Food Van Locations with yellow area being where food is served from

Area for food van



Montrose Foreshore - 825 Brooker Highway, Montrose.

Trading times – 6 am to 10 pm (Monday to Sunday, including public holidays)



Food Van Locations with yellow area being where food is served from

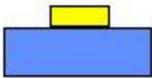
Area for food van



Tolosa Park - 210 Tolosa Street, Glenorchy.

Trading times – park opening hours – 10.30 am to 8 pm during daylight savings, to 4pm other times.

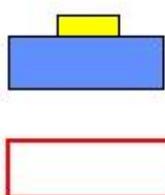


-  Food Van Locations with yellow area being where food is served from
-  Area for food van



Windermere Bay - 26 Cadbury Road, Claremont.

Trading times – 8 am to 10 pm (Monday to Sunday, including public holidays)



Food Van Locations with yellow area being where food is served from

Area for food van

