

Relevant Information for Council

FILE: X118675 **DATE:** 20 June 2025

TO: Lord Mayor and Councillors

FROM: Graham Jahn AM, Chief Planner / Executive Director City Planning, Development and Transport

SUBJECT: Information Relevant To Item 12.4 - Public Exhibition - Mobile Food Vending Vehicles Local Approvals Policy

Alternative Recommendation

It is resolved that:

- (A) Council approve the draft Mobile Food Vending Vehicle Local Approvals Policy, as shown at Attachment A to the subject report, for public exhibition, ***subject to the following amendment:***
- (i) *Deletion of liquor licencing restriction on page 9*
- ~~Liquor licencing~~
- ~~No Mobile Food Vending Vehicle operator is to obtain a liquor licence or sell alcohol to the public.~~
- (B) Council note that the Mobile Food Vending Vehicle Local Approvals Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer make any variations to the draft Mobile Food Vending Vehicle Local Approvals Policy for clarity or correction of drafting errors prior to exhibition.

Purpose

To provide an Alternative Recommendation and further information relevant to the Mobile Food Vending Vehicles Local Approvals Policy.

Background

At the meeting of the Transport, Heritage and Planning Committee on 16 June 2025, further information was sought on:

Operating hours (Central Sydney versus other areas) and Special Entertainment Precinct impacts

The use of Council-owned roads for operating a mobile food vending vehicle is restricted to the following hours:

- Central Sydney: 8am – 3am, Monday to Sunday
- Remainder of the Local Government Area: 9am – 12 midnight, Monday to Sunday

The current operating hours, established in 2013, remain appropriate for both vendors and potentially affected residents. However, following exhibition, any submissions received to change the current restrictions will be reviewed, considered and recommendations to Council made for adoption.

The introduction of Special Entertainment Precincts will not automatically affect this Policy. The current hours will still permit trading until 3am in most of the designated areas.

Once the Special Entertainment Precincts are established, we will assess if any changes to operating hours and/or additional trading areas are needed, and review the Policy if required.

Liquor licensing and standalone item restrictions

Liquor licensing restrictions currently apply to vendors operating on Council-owned roads and road reserves in accordance with this Policy.

These restrictions do not apply to vendors participating in an approved event.

Liquor and Gaming NSW are the consent authority for liquor licences and will determine if they will grant a mobile liquor licence for Mobile Food Vending Vehicles.

Therefore, it is proposed that the Policy restriction is removed for public exhibition and comment.

Under the Local Government Act 1993, placing standalone items in or on the road is not permitted without further approval.

This Policy aims to provide clear and consistent guidance for current and prospective vendors.

However, following exhibition, any submissions received to change the current restrictions will be reviewed, considered and recommendations to Council made for adoption.

Mutual recognition

The Office of Local Government is currently developing a mutual recognition framework, including provisions for mobile food vendors, to enable operation across multiple council areas. Once finalised, this Policy is likely to require further review in response to the new framework.

Prepared by: Josh Bradshaw, Standards and Policy Manager

Approved

A handwritten signature in black ink, appearing to read 'GJahn', is positioned above the printed name.

GRAHAM JAHN AM

Chief Planner / Executive Director City
Planning, Development and Transport