



TRADING IN PUBLIC PLACES – FOOD VEHICLES POLICY

PURPOSE

The purpose of this policy is to regulate the operation of food vehicles in the public places of the City, ensuring fair, consistent and transparent decision making in relation to applications and approvals.

SCOPE

This policy applies to all operators of food vehicles in Kalgoorlie-Boulder and all City Officers responsible for assessing and approving food vehicle operations in public places.

DEFINITIONS

CEO means the Chief Executive Officer of the City.

City means the City of Kalgoorlie-Boulder.

Food Vehicle means a vehicle (other than a food transport vehicle while it is engaged in the transport of food) that is registered and complies with the requirements of Food Act 2008 and Australia New Zealand Food Standards Code for the sale of food.

Public Place includes any thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property; but does not include –

- a. premises on private property from which trading is lawfully conducted under a written law; and
- b. local government property but does not include premises on private property from which trading is lawfully conducted under a written law.

Vehicle means a vehicle as defined in the Road Traffic (Administration) Act 2008 as amended.

POLICY STATEMENT

The City is committed to ensure it is fair and consistent in its decision making and has developed this policy to ensure that these principles are applied to its management of food vans in Kalgoorlie-Boulder.



POLICY DETAILS

2. Guidelines

The City must from time-to-time develop, maintain and implement guidelines and general requirements in respect of the implementation of this policy and the current Trading in Public Places and Thoroughfares Local Law.

3. Trading at Approved Fixed Locations

The City of Kalgoorlie-Boulder has identified fixed trading locations where a permit holder can be permitted to trade in a public place. Fixed trading to the public is permitted at any of these locations:

- a. Centennial Park (maximum 3 vendors);
- b. Karlkurla Park (maximum 2 vendors); and
- c. Hammond Park (maximum 1 vendor).

4. Criteria for alternative locations

- a. No food vehicle shall be granted approval to operate in the central business districts of Kalgoorlie or Boulder as deemed in the current Local Town Planning Scheme unless part of an approved event.
- b. No food vehicle shall operate in front of any existing business outside the central business districts of Kalgoorlie Boulder unless the written permission of the business operator has been obtained and a copy provided to the City.
- c. No food vehicle shall be permitted to park within 50m of any residence between the hours of 2200 to 0700 hours (City's discretion reserved).
- d. No food vehicles shall be granted approval to park in a public place outside the central business districts of Kalgoorlie Boulder unless the City is satisfied that the location of the vehicle will not pose a traffic problem or a danger to the safety of the general public.

5. Conditions of trading

- a. The CEO is authorised to vary or waive any of the conditions when the applicant wishes to operate during an approved event or any other exceptional circumstances.
- b. Ensure availability of necessary infrastructure (power supply, waste disposal) without impacting on the surrounding environment.
- c. The City reserves the right to cancel a booking without notice if the public place is required for emergency purposes, or if the food vehicle is found to be in an unsatisfactory or non-compliant condition that poses a risk to public health, safety, or amenity.
- d. The City may cancel bookings with appropriate notice provided for the following reasons:



- i. To undertake scheduled maintenance, infrastructure upgrades, or other works that affect access or parking availability at the trading location.
- ii. If an event is scheduled at the trading location, the site may be unavailable for the duration of the event. Traders must liaise with the event organiser to determine whether they can be included in the event. If inclusion is not possible, the trader must refrain from trading during the event.
- e. Hirers may cancel bookings, subject to notification period. Refunds of any annual fees will be subject to the City’s Finance refund policy

COMPLIANCE REQUIREMENTS

Food Act 2008

Food Standards Code

City’s Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Laws

Environmental Protection (Noise) Regulations 1997

RELEVANT DOCUMENTS

Trading in Public Place Guidelines

Trading in Public Place Application

Schedule of Fees and Charges

| DOCUMENT CONTROL | | | | |
|------------------------|--------------------------------------|-------------------|---------------------|-------------------|
| Responsible Department | Health and Compliance | | | |
| Description of Changes | Review and removal of Policy number. | | | |
| Version | Resolution Number | Endorsement Date: | Last Reviewed Date: | Next Review Date: |
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