



13.1 **ITINERANT TRADING OUTDOOR COOKING STATION TRIAL - MID YEAR UPDATE**

EXECUTIVE MEMBER: **LILI ROSIC, ACTING GENERAL MANAGER, PLACE STRATEGY AND DEVELOPMENT**

PREPARED BY: **SHONA SEKENE, FOOTPATH TRADING ADMINISTRATOR**

1. PURPOSE

- 1.1 To update Councillors on the temporary outdoor cooking station trial and propose a 12-month extension to its expiry, from 30 September 2018 to 30 September 2019.

2. EXECUTIVE SUMMARY

- 2.1 In response to a trader's request at the Ordinary Meeting of Council on 13 December 2017 an outdoor cooking trial was endorsed for a maximum of 10 businesses, expiring on 30 September 2018.
- 2.2 On 20 December 2017, the trial was first advertised to food businesses via an 'expression of interest' process. Eight (8) Expressions of Interest (EOI) applications were received from Local Traders and six (6) permits for the outdoor cooking stations have been issued. One trial commenced in May 2018 and the other permit holders will not exercise their permits until later this year.
- 2.3 Several factors have delayed businesses setting up temporary outdoor cooking stations including the timing of the EOI process in December, the peak trading period, and the pre-planning required to meet health and safety standards.
- 2.4 With this trial due to end on 30 September 2018 it is recommended that the trial be extended as there has been insufficient time to determine its success. Extending the trial may encourage more traders to take up the trial and provide further street activation opportunities.

3. RECOMMENDATION

That Council:

- 3.1 Supports a 12-month extension of the outdoor cooking station trial until 30 September 2019.
- 3.2 Continues to advertise for Expressions of Interest for the outdoor cooking station trial, throughout the trial period, until ten (10) temporary outdoor cooking station permits have been issued.



4. KEY POINTS/ISSUES

- 4.1 At its Ordinary Meeting of Council on 13 December 2017, Council supported a temporary outdoor cooking station trial for food premises across the municipality up to a maximum of 10 businesses, for a maximum period of 9 months per business, expiring 30 September 2018.
- 4.2 On 20 December 2017, Council advertised the trial to the community and prospective businesses including a media release and advertised on CoPP's website. In January 2018, a mailout was sent to approximately 200 outdoor dining permit-holders.
- 4.3 Subsequently 13 businesses contacted Council to discuss their interest including one (1) enquiry from a catering company outside of the municipality that was not considered eligible to take part.
- 4.4 Eight (8) Expressions of Interest (EOI) were received with one new start-up business still intending to formally apply at a later date.
- 4.5 To date six (6) Permits have been issued as follows:
- Three (3) along Fitzroy Street, St Kilda
 - Two (2) along Brighton Road, Elwood
 - One (1) in Cecil Street, South Melbourne
- 4.6 One Fitzroy Street business withdrew their EOI from the trial as it no longer suited their business model.
- 4.7 One South Melbourne business intends to provide necessary information required to progress their EOI.
- 4.8 As at 31 July 2018, only one of the approved cooking station has commenced operations on Fitzroy Street, St Kilda.
- 4.9 Officer's discussions with the traders has identified the following key challenges for the commencement of the outdoor cooking station trials:
- 4.9.1 The timing of the EOI in December 2017 coinciding with peak trading period for many businesses, as well as business closing over the remaining school holidays.
- 4.9.2 Designing outdoor cooking stations to meet the minimum criteria, particularly:
- a) stations being easily removable,
 - b) meeting minimum Food Act 1984 requirements,
 - c) the safe connection of power including gas bottle storage.
- 4.9.3 Business decisions including:
- a) initial capital investment,
 - b) resourcing of staff to operate cooking station,



- c) reduction in outdoor dining capacity to accommodate outdoor cooking stations,
- d) availability of storage for outdoor cooking station infrastructure after hours,
- e) seasonable weather and reduced pedestrians/patrons perceived as unfavourable conditions to operate outdoor cooking arrangements.

- 4.10 Council's Environmental Health and Footpath Trading officers have been in regular contact with each trader to provide advice and support particularly to overcome the obstacles in outdoor cooking design and meeting safety standards.
- 4.11 With only one trader currently operating their outdoor cooking station. almost eight (8) months into the nine (9) month trial period, officers have had insufficient opportunity to evaluate the outdoor cooking station trial.
- 4.12 It is therefore recommended that the trial be extended by an additional 12 months until 30 September 2019. This extension would offset business investment costs, allow sufficient time to evaluate the trial and inform future policy in relation to outdoor cooking.
- 4.13 It is also recommended that the EOI process continue throughout the trial period until the ten (10) temporary outdoor cooking permits have been issued.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 A partnership approach between the interested businesses and Council's Footpath Trading and Environmental Health Officers has to-date resulted in six (6) approved temporary outdoor cooking stations.
- 5.2 Fitzroy Street and Port Melbourne Traders Associations have supported this trial by raising awareness with their members and supporting traders within their precincts.
- 5.3 Input into the permit conditions for the trial has been provided by Council's Traffic, Risk and City Design units.
- 5.4 Officer recommendations pertaining to the applications have been referred to the Footpath Trading Panel prior to authorisation by the General Manager, Place, Strategy & Development.
- 5.5 Regular updates have been provided to Council's Economic Development unit.

6. LEGAL AND RISK IMPLICATIONS

- 6.1 The assessment process and permit requirements have been used to mitigate known risks to the community. Particularly, Council's Environmental Health requirements for food preparation, hand-washing facilities and the use and storage of gas bottles. Currently this trial has not raised any unknown risks or legal implications for Council.
- 6.2 A copy of the current permit conditions is attached. – Refer Attachment 1.



7. FINANCIAL IMPACT

- 7.1 For traders, a key challenge has been the seasonal nature of business activity. To encourage traders to invest in the trial, including the cost of setting-up and staffing outdoor cooking stations it is proposed that the trial be extended until the 30 September 2019.
- 7.2 Operational costs including Council officer time is included in the endorsed and proposed budget.

8. ENVIRONMENTAL IMPACT

- 8.1 Traders are encouraged to use recyclable and/or compostable packaging, and operate energy efficient appliances.

9. COMMUNITY IMPACT

- 9.1 The potential for residential amenity to be impacted by outdoor cooking stations is being considered and will be monitored through the life of each permit.
- 9.2 With the trial still in its infancy the benefits provided from the visual theatre of outdoor cooking within our activity centres are yet to be realised.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 **Strategic Direction 2 – We are connected to and it's easy to move around**
2.3 - Our streets and places are designed for people

Officers continue to balance the needs for commercial activity within the public realm whilst maintaining safe and accessible footpaths for all.

- 10.2 **Strategic Direction 5 - We thrive by harnessing creativity**
5.1 Collaborating to ensure our entertainment and local economies thrive, while ensuring safe, enjoyable places for everyone.

Officers support of six (6) outdoor cooking stations has provided businesses the opportunity to diversify and by encouraging community participation through the visual theatre of cooking could bring the “market-feel” into our shopping precincts.

With no current policy in place this trial would inform any future outdoor cooking station policy for Council.

11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

- 11.1.1 Expressions of interest would continue to be advertised via Council's website
- 11.1.2 Officers would continue to work in partnership with traders to progress their EOI's.

ORDINARY MEETING OF COUNCIL 15 AUGUST 2018



11.1.3 Officers would continue to monitor each outdoor cooking station to ensure requirements are being adhered to, and to identify any new challenges.

11.1.4 In Mid-2019 Councillors would be briefed further on the success of the trial and resolve with officer's recommendations to formulate a future outdoor cooking station policy.

11.2 COMMUNICATION

11.2.1 Existing permit-holders and Trader's Associations would be notified of the extension to the trial.

12. OFFICER DIRECT OR INDIRECT INTEREST

12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

TRIM FILE NO: 13/01/04

ATTACHMENTS 1. Temporary Outdoor Cooking Station Trial Permit Conditions