

Application for a Permit to Trade in a Public Place

Under 'Public Places Bylaw 2014'

Before you apply

Council staff are unable to advise on whether a proposed trading location is suitable prior to an application being submitted. Each proposed site must be formally assessed as part of the application process.

Council will not approve stall trading in locations that include, but are not limited to:

- Areas with limited parking
- Locations close to intersections
- Areas that pose traffic or pedestrian safety concerns
- Playgrounds, parks, or other recreational reserves

Approval will also not be granted where a proposed stall is within 300 metres of an existing business or another stall selling similar goods.

For example, a new stall selling cakes would not be approved within 300 metres of an existing business or stall selling doughnuts.

Application fee – what it covers

The application fee is a processing and assessment fee and does not guarantee approval of any location.

The fee covers:

- Assessment by Council bylaws staff to ensure compliance with relevant bylaws
- Review by Roading staff based on traffic safety and access considerations
- Review by Parks staff where applicable, including amenity and use considerations

These assessments also take into account whether trading in a particular area would negatively impact the amenity of the location or create safety risks.

The application fee is non-refundable, regardless of the outcome.

How the application process works

- Each application must include **two proposed locations**, along with proposed dates and times.
- Council will assess both locations.

Assessment outcomes:

- One location approved, one declined:
You may submit one additional location under the same application.
- Both locations declined:
You will be permitted one further opportunity to submit two alternative locations under the same application.
- If all locations are declined after this second attempt:
The application is considered declined. To continue, you must submit a new application and pay a new fee, as the assessment time covered by the original fee will have been exhausted.

Important information

- Council cannot provide a list of suitable sites or confirm approval of locations by email or phone.
- All proposed locations must be formally assessed through an application.
- Submitting an application confirms your understanding that payment covers assessment time only and does not guarantee approval.
- All hawkers, stalls and mobile vehicle trading permits will expire on 31 October of each year. It is the responsibility of the applicant to lodge an application should the applicant wish to continue to trade from this site, after the expiry date. Applications may be lodged within 30 days before the expiry date. Pre-lodgments before this time frame will not be considered.

What type of application is being applied for?

- Hawker** *Offers goods for sale, sometimes on foot, without prior invitation to visit that private or public place*
- Stall** *Operates at specific location and is set up for more than 30 minutes e.g. on the roadside*
- Mobile Shop** *Operates for a short period of time in one location before moving on e.g. an ice cream van*

Business Details

Applicants Full Name _____
 Or Limited Company Name _____
 Postal Address _____
 Trading Name of Business _____
 Phone Number _____ Email _____
 Name of day-to-day Operator _____
 Address _____
 Phone Number _____ Email _____
 Vehicle Registration/Make/Model _____

Site and Trading Details

Proposed site or sites to be occupied (provide site plans, photograph of stall and satellite photos showing precise location for each site – maximum of two sites per application)

1 _____
 2 _____

Are you selling food? Yes No **Water Source** _____

If **YES**, please describe items to be sold: (Sale of Food - Operator must hold a current registration under the Food Act 2014. Any Act, Regulation or Bylaw relating to the trading and selling of food must be complied with. Separate fees will apply for food registrations under the Food Act 2014.)

If you are not selling food, what is the nature of your business:

Specify proposed days and hours or trading (an additional application will need to be lodged if you wish to trade in both places concurrently i.e. on the same day and same time)

Site One

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Time							

Site Two

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Time							

Final Check and Attachment Checklist

- Form is completed and is legible
- Vehicle Registration
- WOF Expiry Date _____
- Electrical Cert if applicable
- LPG Cylinder Cert if applicable
- Site photos and satellite photos (maximum of two sites per application)
- Food Registration Certificate (if selling food and drink)
- Stall layout if selling food and drink. The layout will include food preparation, serving facilities, including benches, shelves, wash hand basins, sinks, ventilation and other appliances. A full description of wall, floor and ceiling surfaces, proposed hot and cold water supply and waste water holding tanks must also be provided.

General Conditions

- 1) Where required and not exempt, the applicant must hold a current "Food Act 2014" registration certificate that shall be prominently displayed in or on some part of the mobile vehicle, stall or carried on the person at all times when open and trading for business.
- 2) The vehicle, stall or hawker while operating, must be located so that customers must approach, queue and access the mobile vehicle, stall or hawker away from the road. There must be adequate and safe roadside customer parking available at the site.
- 3) The mobile vehicle, stall and hawking signage must be kept clear of live lanes at all times.
- 4) The applicant and/or day to day operator identified in this application shall comply with any instructions given by the Police or Council Authorised Officer in the interest of public safety.
- 5) The applicant and/or day to day operator identified in this application shall ensure that the area surrounding the stall shall be kept clean and clear of any litter.
- 6) Council reserves the right to withdraw this permit should it become clear that the applicant or day to day manager has breached the Public Places Bylaw 2014 and permit conditions, or where the continued use of this area is in conflict with the other authorised users of this area.
- 7) Please note that Council, is currently reviewing the private use of public/council land, which might in future require you to enter an "Agreement to Lease" with Council. This agreement most likely will include an annual/monthly charge for that portion of land utilised by you.
- 8) All hawkers, stalls and mobile vehicle trading permits will expire on 31 October of each year. It is the responsibility of the applicant to lodge an application should the applicant wish to continue to trade from this site, after the expiry date. Applications shall be lodged within 30 days before the expiry date. Pre-lodgments before this time frame will not be considered.
- 9) Hawkers, mobile shops and stalls must be at least 300 meters (nearest point to nearest point) from any business premises selling like goods and services
- 10) The granting of permits to trade on Council land under the Bylaw is at the sole pleasure of Council and may be refused without providing reason. No appeal process applies.
- 11) Your application will be forwarded and assessed by the relevant Council departments managing the site(s) referred to in this application. The Council may include additional permit conditions as appropriate.

I have read and agree with the above conditions.

 Applicants Signature

 Date

OFFICE USE ONLY

Customer Services	Fee:	App ID:	Receipt Number:
	Approved/Declined	Date	Comments/Conditions
Environmental Health			
Parks Department			
Roading Department			