

# Application for Trading Activities Permit

Applicant Name: _____
Postal Address: _____
Business Name: _____
Business Address: _____
Telephone Number: _____
Applicant Email Address: _____
Signature of applicant: _____ Date: _____
Name of property owner: _____
Signature of property owner: _____ Date: _____
Address of property owner: _____

*Please note that permits will not be approved unless a current certificate of currency is provided showing current public liability insurance of \$10 million or great.*

Fee: \$185.00
Date paid: _____
Receipt: _____

# Indemnity Document

I/We the applicant \_\_\_\_\_

“The applicant agrees to take out and keep current during the permit period public liability insurance for a minimum of ten million dollars and further agrees to indemnify and to keep indemnified Council against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever which may be brought or made against Council arising out of in relation to the permit

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print name: \_\_\_\_\_

On behalf of: \_\_\_\_\_

In the presence of: \_\_\_\_\_

Name and address of witness: \_\_\_\_\_

\_\_\_\_\_

## **19. Trading activities**

a) Without a permit a person must not in a public place:

- i) display or sell any goods or services; or
- ii) place out any furniture and/or equipment for the purposes of outdoor eating by customers.

b) The Council may exempt persons from the requirement to obtain a permit where specified criteria are met.

### **Trading activities**

Local Law Clause No 19

### **Purposes of the Clause**

To regulate the use of public places for displaying goods for sale and outdoor eating by requiring that a permit be obtained.

### **Applies to**

Persons wishing to display goods for sale and to provide outdoor eating.

### **Policy responsibility**

Manager Regulatory Services

### **Administration**

Manager Regulatory Services

### **Enforcement**

Manager Regulatory Services

### **What public places are affected?**

All public places.

### **Who requires a permit?**

Any person wishing to place goods for sale or outdoor eating facilities in a public place.

### **Exemptions**

Council exemptions. See criteria below.

## Applying for a permit

A completed permit application form should be submitted 28 days prior to the period applied for. A Planning Permit application may also be required.

## Exemption criteria

No exemptions

Permits are available for placing goods for sale or eating facilities in a public place. When dealing with applications for permits the Council or its delegate will consider the following factors:

- the amenity of the proposed location and the surrounding area
- the effect on the quiet enjoyment of other users of the public place
- whether AS1428.2 – 1992 „Design for access and mobility“ or other disability standards can be complied with
- any comments received in respect of the application
- any further information required from the applicant
- any other matters that may apply to the particular application, and
  
- an appropriate permit fee and any refundable deposit required.

## Permit conditions

Display of goods:

- Displays on footpaths must be placed on the outer edge of the footpath and be set back 500 mm from the face of the kerb
- A minimum footpath width for pedestrian traffic of 1.8 metres is to be maintained
- The total space occupied by any display must not exceed four (4) square metres
- No display is to have any moving, rotating, illuminated or reflective components
- Times allowed will generally be restricted to daylight hours
- Only one (1) display per business premises will usually be permitted, and
- All displays must be kept to the front of the business that they promote.

### Street trading:

The location of a stand or fixture is to have due regard for vehicle and pedestrian safety

- The nature and type of goods to be sold will be designated
- The capacity of roads, footpaths and parking areas may limit the extent of trading and
- The duration of the activity and the time of day may be limited.

### Placement of eating facilities:

- A minimum footpath width for pedestrian traffic of 1.8 metres is to be maintained
- Compliance with the *Public Health and Wellbeing Act 2008* and the *Food Act 1984*
- Tables, chairs, umbrellas or moveable barriers must not unduly impair motorist or pedestrian vision
- Tables, chairs, umbrellas or barriers (whether moveable or not), or the like must not display any word, image, device or logo which advertises goods, products or services, except where a valid planning permit exists for such
- Umbrellas or awnings must allow a minimum height clearance of two metres above the footpath
- All furniture and equipment must be properly used and maintained for public safety
- All facilities must be kept in a clean and tidy condition at all times, and
- Waste and litter minimisation by the use of non-disposable food containers and eating utensils.

### Insurance:

- Public liability insurance which also indemnifies the Council must be held at all times. A minimum cover of \$10 million is required.

### Fees:

- Permit fees will be based on cost recovery plus a reasonable rental for the public land occupied.

### Period:

- Permits are issued for a period of one year.

**The personal information request on this form is being collected by Council for the purpose of evaluating a Local Law Permit application. This information will be used solely by Council for that primary or directly related purposes. The applicant understands that the personal information provided is for the purpose of evaluating a Local Law Permit application and that they may apply to Council for access and/or amendment of the information.**

Revised 1 July 2020

**COMMUNITY  
SAFETY**

