

SHIRE OF WAROONA

PO Box 20, Waroona, WA, 6215
Tel: (08) 9733 7800 Fax: (08) 9733 1883
email: warshire@waroona.wa.gov.au



Activities in Thoroughfares and Public Places and Trading Local Law

Trading in Public Places Application

INTRODUCTION

These guidelines have been produced for prospective applicants who wish to conduct an activity or trade in a thoroughfare or public place. Applicants should also refer to Council's '*Activities in Thoroughfares and Public Places and Trading Local Law*' (a copy can be obtained from the Shire of Waroona's website or from Administration on (08) 9733 3800.

To apply for a permit to conduct an activity or trade in a thoroughfare or public place it is essential that the applicant reads this document thoroughly and completes all attached forms.

APPLICATION INFORMATION

1. The applicant must provide a site plan indicating where the vehicle/stall is to be placed in relation to footpaths, roads and buildings (including bus bays). If the trading forms part of an organised event, separate approval must be sought for the event itself.
2. The applicant must provide a site plan if use of the Shire's reserves is anticipated. Booking of reserve space is separate to this application.
3. If food is to be sold or provided to the public, an Application for Registration of a Food Business under the Food Act 2008. If it is also the intention of the applicant to trade at any occasional event within the Shire of Waroona (e.g. Weekend Markets, Vintage Machinery Show, Waroona Show etc.), an Application for a Temporary Food Stallholder's application should be made.
4. The fees associated with this type of application are as per the Shire's Schedule of Fees and Charges.

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Trading in Public Places Application

APPLICANT

Organisation

Contact Person

Address

Phone (Home)..... (Mobile).....

Fax Email

OTHER DETAILS

Address of proposed activity

Plans attached? YES NO

If NO why?

Renewal of previous approval? YES NO

If YES please provide permit number and approval date.....

PLEASE ANSWER THE FOLLOWING QUESTIONS

1. **Nature of proposed activity.** Describe what the goods or services are, describe how the goods will be displayed, sold and/or services offered.

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2. **Details of proposed stall.** e.g. - trailer, van, cart, table, etc. - attach a sketch or photograph

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3. **Is food to be sold or provided?** YES NO

If YES, the applicant must also complete an Application for Registration of a Food Business under the Food Act 2008. If it is also the intention of the applicant to trade at any occasional event within the Shire of Waroona (e.g. Weekend Markets, Vintage Machinery Show, Waroona Show etc), an Application for a Temporary Food Stallholder's application should be made. For application forms or general queries regarding the correct procedure, please phone the Environmental Health Officer on 9733 7800 or obtain a copy of the relevant forms from the Shire of Waroona's website. An inspection of the vehicle/stall may be carried out by an Environmental Health Officer at any time during trading.

4. **Specifications of proposed stall:**

Dimensions

Colour

Type of material

5. Number of assistants/persons other than applicant expected to engage in activity:

6. Please list the names of each person expected to be engaged in the activity:

7. Proposed commencement date and, if applicable, other proposed date(s) of operation:

8. Proposed hours of operation

9. Is a copy of a current Public Liability Insurance Policy attached? YES NO

10. Has a cleaning contract been signed? YES NO

11. Other information

Applicant's Signature Date

**PAYMENT
INFORMATION**

Cheques made payable to "Shire of Waroona"

Payment can be made by the following options:

BY MAIL:

Environmental Health Officer

Shire of Waroona

PO Box 20, Waroona WA 6215
6215

IN PERSON:

Cashier

Shire of Waroona

52 Hesse Street, WAROONA WA

Enquiries: Environmental Health Officer – 9733 7800 or eho@waroona.wa.gov.au

OFFICE USE ONLY

Application ID:

Date:

Fee:

Receipt Number:

Activities in Thoroughfares and Public Places and Trading Local Law

Trading Requirements

Please detach these information pages & keep them for your reference.

PUBLIC RISK INSURANCE REQUIREMENT

The permit holder shall have a public liability insurance policy with a reputable public insurance office, noting Council as an interested party, with cover of not less than *ten million dollars (\$10,000,000.00)* as specified in Attachment 1.

CLEANING

- Cleaning of the area during and after use in accordance with the Health Act 1911 (as amended).
- Remove litter generated by the activity in accordance with the Health Act 1911 (as amended).
- The general area is to be kept clean and tidy to Council's satisfaction.

THE PERMIT HOLDER SHALL AT ALL TIMES

- I. Display a sign with letters and numerals not less than 5cm in height in a conspicuous place in the licensed area indicating the name of the licensee and the licence number;
- II. Ensure that the licensed area is attended by either the licensee or an assistant at all times when the activity/trading is being undertaken;
- III. Keep any store, table, structure or vehicle specified in the licence in a clean and safe condition and in good repair;
- IV. Ensure a minimum width of 2 metres is kept clear for pedestrian access;
- V. Keep the location specified in the licence free from refuse and rubbish;
- VI. Have the licence available at operation times and produce the licence to any authorised person or any Police Officer when requested; and
- VII. Remove any store, merchandise and signs from the location to which the licence applies and leave the location clean and vacant -
 - a) at the conclusion of the permitted hours of operation specified in the licence; and
 - b) Whenever trading is not taking place on the location to which the licence applies.

THE PERMIT HOLDER SHALL NOT:

- I. In the conduct of trading, employ or use more than the number of assistants specified in the permit;
- II. Transfer, assign or otherwise dispose of the permit except to a transferee approved by the Council;
- III. Engage in or permit any trading in any goods, wears, merchandise or services other

than those specified in the licence;

- IV. Cause, permit or suffer any nuisance to exist, arise or continue on from the location to which the licence applies;
- V. Cause, permit or store any goods, wears, merchandise on any public place, other than on the location to which the licence applies;
- VI. Obstruct the free passage of pedestrians on any footpath or pedestrian access way;
- VII. Use or display or permit to be used or displayed any advertisement, placard, poster, sign or sign board on or about the location specified in the licence other than price tickets or labels on the permitted place not exceeding a total of 0.25m² of the licensed area;
- VIII. Erect and maintain signs so as to obscure any other signage on or adjacent to the licensed area;
- IX. Cry out, shout about or permit any other person to cry out or shout about any goods, wears, merchandise or services in any street or public place;
- X. Use or permit to be used any loud hailer, microphone, amplifier or other apparatus for making or transmitting sound, on or from the permitted place specified in the licence, unless approved by the CEO;
- XI. Use or permit to be used any record, tape, radio, bell, musical instrument or other instrument or device capable of being heard beyond the boundaries of the permitted place specified in the licence unless approved by the CEO;
- XII. Use or permit to be used any flashing or intermittent lighting apparatus or device on or from the permitted place specified in the licence; or
- XIII. Use or permit to be used apparatus or device including flap or shelf where the dimensions of the stall area are increased beyond that specified in the licence.
- XIV. No trading is to be undertaken directly at the 'John Tognela' rest area on the Forrest Highway without written permission from Main Roads WA.

FAILURE TO COMPLY

- Failure to comply with the conditions of this contract will result in the permit being revoked within 24 hours of notice.
- The Council will clean the area or arrange for the area to be cleaned at the permit holder's expense.
- The Council is not responsible for loss of earnings if it has to invoke any section of the cleaning contract.
- If the permit is revoked, the balance of the permit fee shall not be refunded. If reinstatement costs are in excess of the permit fee, the balance shall be claimed from the licensee.

I, the undersigned, have read and agree to the conditions of this permit.

Signature

Licensee.....Date

of

NOTE

One Copy to be given to the applicant and one copy to be retained by the Shire of Waroona.