



577 Hannan St, Kalgoorlie
PO Box 2042, Boulder WA 6432

Telephone: (08) 9021 9600
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GUIDELINES FOR PUBLIC PLACE TRADING

Introduction

These guidelines have been produced for prospective applicants who wish to trade in a public place.

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

Note: Applications for food vehicles to trade in a public place must comply with the attached Council policy *"Trading in Public Places – Food Vehicles"* (see Attachment 2).

Application Procedure

1. The attached "Trading in Public Places – Application for Permit" must be completed and any relevant fees paid.
2. The applicant **must** provide a site plan indicating where the van/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.
3. If food is to be sold, inspection of the van/stall must be carried out by a City Environmental Health Officer prior to the permit being granted.
4. The fees associated with this type of application are shown overleaf:

Office use only

Checked by officer:

Licence Fee: Alfresco/Foot Path Trading/Stationary Food Permit
ACCOUNT: 22010113



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Trading in Public Places Charges

Alfresco Dining	
Initial Application Fee	\$154.50
Annual Alfresco Dining Permit	\$154.50
Transfer of Alfresco Dining Permit	\$27.40
Foot Path Trading (for CBD business only to extend and trade on the footpath - this does not include alfresco dining)	
Application fee (one-off)	\$51.50
Per week	\$5.20
Per month	\$10.30
Per annum	\$51.50
Transfer of Permit	\$27.40
Stationary Trading Permit (for food/commercial vehicles or market trading in public places that are not captured by the 'Permit to Conduct' application)	
Application Fee (One-off)*	\$150.00
Per week	\$300.00
Per 3 monthly	\$1,500.00
Per 6 monthly	\$2,500.00
Per annum	\$5,000.00
Transfer of Permit	\$27.40
*Note: Charitable and not for profit organisations do not pay the duration fees	

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APPLICATION FOR ACTIVITIES ON THOROUGHFARES AND TRADING IN THOROUGHFARES AND PUBLIC PLACES

THIS APPLICATION IS FOR (PLEASE TICK ONE BOX ONLY):

Alfresco Dining

Stationary Trading Permit

Footpath Trading

APPLICANT'S DETAILS:

Name: _____

Address: _____

Postal Address _____

Phone: _____

Business Phone: _____

Fax: _____

Email _____

Location Of Proposal (If Not As Above):

Address: _____

Plans Attached:

Renewal of Previous Approval: Yes /No

If Yes, Please Provide Permit Number And Approval Date: _____

(Signature of Applicant/s)

(Date)



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Trading in Public Places - Application for Permit

1. Location of proposed trading activity. A plan must be submitted indicating the precise location.

2. Nature of proposed trading activity (describe how the goods will be displayed, sold and/or services offered).

Is food to be sold Yes / No

Where is food to be prepared? _____

3. Details of proposed stall (eg. trailer, van, cart, table - enclose a sketch or photograph.)

4. Specifications of proposed stall:

Dimensions: _____

Colour: _____

Type of material: _____

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

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

7. Proposed hours of operation:

8. Is a copy of a current Public Liability Insurance Policy attached? Yes / No

9. Has the cleaning contract been signed? Yes / No

10. Any other information specifically requested by the Council:

(Signature of Applicant/s)

(Date)

Conditions of Permit

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 trading area during and after use in accordance with the Food Act 2008, Food Regulations 2009 and the Food Standards Code.
- Remove food, scraps, wrappings or other litter generated by the trading in accordance with the Food Act 2008, Food Regulations 2009 and the Food Standards Code.
- Where trading does not involve food sales, the general trading area is to be kept clean and tidy to Council's satisfaction.

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 under the By-law;
- (iii) trade in, or permit trading in, any goods or services other than those specified in the permit;
- (iv) cause, permit or suffer any nuisance to exist or continue at or adjacent to the place of trading;
- (v) place any advertisement, poster, streamers or signs on any stalls or in the general area of the place of trading, except as may be specified by the Council in the terms of the permit;
- (vi) make use of any loud-hailer, microphone or other method of noise-making in order to attract customers to the place of trading;
- (vii) permit any record, tape or radio to be played at the place of trading.

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 be refunded after deducting reinstatement costs. If these 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 of Licensee)

(Date)

To be retained by the City of Kalgoorlie-Boulder

ATTACHMENT 1

Public Risk Insurance Requirement For Use Of And Activities In Streets Standard Conditions to be attached to Permits Under the By-law

Important: Public Risk Insurance

In the event that a permit is granted, it is a condition of the permit that 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)** in respect of any one event, to provide indemnity in respect of both injury to persons and damage to property in the usual terms and such policy to include (but without limiting the generality of the foregoing) loss or damage to property not owned by the permit holder but under the physical or legal control of the permit holder and contractual liability and such other risks (if any as the Council might reasonably nominate at the time of granting of the permit). A copy of the policy, or certificate of currency, confirming the policy has been paid and is in joint names, shall be provided to the Council prior to the commencement of trading.

The Council shall be advised directly by the Insurance Company of any changes to the Policy.

ATTACHMENT 2

The Council of the of Kalgoorlie-Boulder, at it's meeting held on 27 September 1993, resolved as follows:-

“TRADING IN PUBLIC PLACES - FOOD VEHICLES”

1. *No food vehicle shall be granted approval to operate in the central business districts of Kalgoorlie or Boulder as deemed in the current Town Planning Scheme.*
2. *No food vehicle shall operate in front of any licensed premises outside this area unless the permission of the licensee has been obtained in writing.*
3. *No food vehicle shall be permitted to park within 300m of any residence between the hours of 22.00 and 09.00.*
4. *No food vehicles shall be granted approval to park in a public area outside the Central Business Districts of Kalgoorlie or Boulder until the City Engineer 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. *The person in charge of the food vehicle shall, at all times, ensure the area is kept in a clean and sanitary condition.*
6. *The applicant must ensure any effluvia produced in the cooking/preparation of food shall not cause an environmental or public nuisance.*
7. *Should Council receive written complaints in regards to noise, poor hygiene, traffic or disorderly conduct by patrons of the business Council may elect not to renew the permit to trade in a public place. Furthermore if the amount or degree of complaints warrant, Council may elect to cancel the permit at any point throughout the duration of the permit.*
8. *No food vehicle shall be granted approval to obtain a trading in public places permit unless the vehicle complies with the Food Regulations 2009 to the satisfaction of the Manager Health and Compliance.*
9. *The Town Clerk may waive any of these conditions when the applicant wishes to operate during a fair, function or festival.*