



## *Activities in Thoroughfares and Public Places and Trading Local Law*

# **Application to Trade in Public Places** **(for not for profit organisations only)**

### 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*' (copy can be obtained from the City of Fremantle's website).

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. If food is to be sold or provided to the public, an *Application for a Temporary Food Stall* must be submitted to the Licensing Officer in Environmental Health Services for approval.
2. Approval will only be granted in Kings Square near the Town Hall Clock Tower and in Henderson Street Mall on Thursday– Sunday's between 9am to 5pm.
3. **Only not for profit organisations will be approved to trade.**



Activities in Thoroughfares and Public Places and Trading Local Law

## **Application to Trade in Public Places** **(for not for profit organisations only)**

### **APPLICANT**

Organisation .....

Contact Person .....

Address .....

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

Fax ..... Email .....

### **OTHER DETAILS**

Address of proposed activity

Henderson Street Mall ☐

King's Square – Near Town Hall Clock ☐

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.**

.....  
.....

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

.....

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

*If YES, the applicant must complete an Application for a Temporary Food Stall. For an application form please phone the Licensing Officer in Environmental Health Services on 9432 9856 or obtain a copy from the City of Fremantle'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. 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 (a copy of the Public Liability Insurance Policy is required to process this application)

9. Is a copy of the business registration issued by the *Australian Securities & Investment Commission (ASIC)*?

☐ YES ☐ NO (business registration from Department of Commerce is required to process this application)

10. Other information .....

.....

Applicant's Signature ..... Date .....

#### Collection Notice

The City of Fremantle collects the personal information you provide for the purpose of responding to your enquiry or request, and to carry out related local government functions.

Your information may be shared with authorised City officers or contractors where necessary to process your request, but will not otherwise be disclosed unless required or authorised by law.

**By contacting the City you agree to the collection of this information in accordance with the Council Privacy Policy.**

For more information, including the option to remain anonymous, please see our [Privacy Statement and Policy](#) or contact us at [governance@fremantle.wa.gov.au](mailto:governance@fremantle.wa.gov.au).

**Please allow the City of Fremantle 10 working days to process this application**

Enquiries: Licensing Officer at the City of Fremantle – 9432 9999 or [health@fremantle.wa.gov.au](mailto:health@fremantle.wa.gov.au)



## **Trading Requirements**

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

### **PUBLIC RISK INSURANCE REQUIREMENT**

The permit holder may be required to hold 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 0.25m<sup>2</sup> 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.

#### FAILURE TO COMPLY

- Failure to comply with the conditions of this contract will result in;
  - The permit being revoked within 24 hours of notice &/or
  - The trader may be issued an infringement notice of \$125.
- 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.

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

Signature of Licensee ..... Date.....

#### Collection Notice

The City of Fremantle collects the personal information you provide for the purpose of responding to your enquiry or request, and to carry out related local government functions.

Your information may be shared with authorised City officers or contractors where necessary to process your request, but will not otherwise be disclosed unless required or authorised by law.

**By contacting the City you agree to the collection of this information in accordance with the Council Privacy Policy.**

For more information, including the option to remain anonymous, please see our [Privacy Statement and Policy](#) or contact us at [governance@fremantle.wa.gov.au](mailto:governance@fremantle.wa.gov.au).

#### NOTE

**One Copy to be given to the applicant and one copy to be retained by the City of Fremantle.**

## TRADING IN PUBLIC PLACES LOCATION – NOT FOR PROFIT AND FUNDRAISING ORGANISATIONS

Kings Square – Outside Town Hall Clock



Legend: Trading Allocation Area



**TRADING IN PUBLIC PLACES LOCATION – NOT FOR PROFIT AND FUNDRAISING ORGANISATIONS**

Henderson Street Mall – Corner of Henderson Street Mall and Market Lane



Legend: Trading Allocation Area

