

**Document No: HS-0006**

### **Introduction**

This information sheet outlines the requirements for trading in public places such as stallholders and mobile street traders.

### **What regulations set controls for stallholders and trading in public places?**

The City of Karratha's *Activities in Thoroughfares and Public Places and Trading Local Law* regulates activities on public land such as operating a fixed stall or mobile street trading (ie ice cream van). These local laws apply to many types of activities such as food stalls, sale of goods and promotional displays conducted in a Public Place.

The City of Karratha has also implemented Policy DE3 Stallholder and Street Trading Policy, which effectively prohibits the operation of a stall within the town centre designated area. If you are considering conducting either a temporary or a regular stall, please refer to this policy prior to making any application to City's Environmental Health Service. The policy is available via the attached link:- [SoR DE3 policy](#)

A Public place includes any thoroughfare or place, which the public are allowed to use, whether or not the thoroughfare or place is on private property. This includes carparks or other outdoor areas, not within a building which the general public has access to.

For individual stalls or street traders, an approval must be sought e.g. a sausage sizzle. If a larger event is planned (eg FeNaCING), the applicant may apply for an approval for each of the stalls. Approved traders will assume the responsibility and the compliance management of all the activities under this approval. If a trader's permit has been approved for an event, individual stallholders who form part of the activity do not need separate stallholder's permits for the duration of the traders permit approval.

The majority of applications for stallholders are for temporary food stalls. The City of Karratha has published guidelines on the operations of temporary food premises. Stallholder approvals for temporary food premises are subject to compliance with these guidelines.

### **Do I need any other approvals?**

You will also require separate approvals for the consumption of liquor on the site from the Department of Racing Gaming and Liquor should alcohol be sold or provided.

An approval for a Public Building will also be required for larger events where the public has access.

Applications for approvals for Public Buildings can be directed to the City of Karratha's Environmental Health Service.

### **How do I apply for an approval?**

An Application for a stallholders permit is to be completed and submitted to the City of Karratha with the appropriate fee if applicable. Supporting documentation may be required such as public liability insurance certificate of currency, permission from the landowner or the controlling agent of the land, engineering certification of equipment (rides) and a site diagram.

Applications for activities on Council controlled land may require Council approval. Council meet every month to decide on such issues. Implications are considered from the development such as car parking, public nuisance and amenity are considered with such applications.

### **How long does the approval process take?**

Generally within one week for standard application and up to six weeks if the Council has to decide the application.

### **What time restrictions are these approvals for?**

Approvals are valid for a period of between one day and one year depending on the length of time applied for and the conditions of approval. An approval does not give the applicant any tenure on the site as this is at the discretion of the landowner or controlling agency for the property.

### **Does the City of Karratha have a designated stallholder trading area?**

No. There are no plans at this stage to provide a dedicated stallholder trading area. Applicants must identify an area where they would like to trade from and applications are site specific.

### **If my application is approved, is the area I nominated "my spot"?**

No. There is no tenure on the site and no greater right of access to the site than any other stallholder.

### **What other restrictions should I be aware of?**

Trading with the designated town centre area areas is prohibited as this is high traffic area; whereby temporary trading may create both traffic and pedestrian safety issues. Provision of either a fixed stall or mobile vehicle will negatively impact on the availability of car parking in this area, therefore detracting from the proper and orderly planning of the town centre. Trading is not permitted within the carpark or adjacent to the Karratha Tavern (Bond Place) due to similar parking issues.

Stallholders are not to attempt to conduct a business within a distance of 600m of any shop or permanent place of business that is open for business and has for sale any goods of the kind being offered for sale by the stallholder or trader. You are strongly advised to read and understand the provisions of the local law before you intend to trade.

### **How much does it cost for a stallholders permit?**

Council reviews and adopts a schedule of fees and charges for stall and street trader applications at the start of each financial year. Please refer to Information Sheet BS-0005 Development Services Fees and Charges.

There is no charge for permits for not-for-personal-profit community group activities, one-off fundraisers for community groups or charitable associations, or for sporting groups that are fundraising. These exemptions of fees do not apply to groups who undertake intensive (ie multiple) stall holding activities.

### **Fines and Penalties**

Fines up to \$5000 can be issued for prosecutions resulting from non-compliance with the City of Karratha's *Activities in Thoroughfares and Public Places and Trading Local Law*. Infringements can be between \$100 and \$300 depending on the offence.

### **Additional Information**

If you would like additional information on trading in public places, please contact the City of Karratha's Environmental Health Service on 9186 8555.

### **Disclaimer**

This information sheet is provided as generalised information. While we aim to keep the content of this document current and accurate, we accept no responsibility or warranties for actions based on the information provided. The City of Karratha encourages you to seek professional advice before acting on any information contained within this document. Please contact the City of Karratha if you wish to comment on the forms provided and information contained within. Any reported errors will be amended.

**If you need more information about any matter raised in this document, please contact the City of Karratha's Environmental Health Service on 9186 8555.**