

Trader's Permit Applications

Activities and Trading in Thoroughfares and Public Places Local Law 1995

The [City's Activities and Trading in Thoroughfares and Public Places Local Law 1995](#), provides for the management of a variety of Traders wishing to conduct trade, including goods and/or food of any type to be sold or offered for sale, in a public place within the City of Armadale. Permit holders currently include ice-cream vans, coffee vans, plants fruit and vegetable traders.

Approval Procedure

All Trader Permits applications are to be submitted in writing. Assessment of an application considers the proposed location and impact the activity may have on established businesses close by, the desirability of the proposed activity, locations of trade, site availability, traffic flow and the amenities at the desired location. Part 6.3 - Activities and Trading in Thoroughfares and Public Places Local Law 1995 specifies the following application requirements:

A person shall not carry on trading unless that person is –

- (1) (a) the holder of a valid trader's permit; or
(b) an assistant specified in a valid trader's permit.
- (2) Every application for a trader's permit shall –
 - (a) state the full name and address of the applicant;
 - (b) specify the proposed number of assistants, if any, to be engaged by the applicant in trading, as well as their names and addresses if already engaged;
 - (c) specify the location or locations in which the applicant proposes to trade;
 - (d) specify the period of time for which the permit is sought, together with the proposed days and hours of trading;
 - (e) specify the proposed goods or services which will be traded; and
 - (f) be accompanied by an accurate plan and description of any proposed structure or vehicle which may be used by the applicant in trading.

Conditions

- It is a requirement that each trader holds Public Liability Insurance cover for a minimum value of \$20 million;
- Annual Traders are required to apply to have their permit renewed prior to the expiry date. There is no guarantee that a permit will be renewed as applications must be reassessed by the City;
- Single day traders are only permitted to operate on the nominated date of their application. If the trader wishes to continue trading, they must apply for a permit for longer duration or submit further Single Day applications for the proposed dates.
- Traders are required to obtain approval from our Health Department if you are serving food. This approval is not an approval to trade but merely states that your van meets the health requirements to serve food.

Fees and Charges

A Trader's Permit requires a yearly application fee and additionally, an annual, monthly, weekly or daily fee. Refer to Health Services Schedule of Fees and Charges. Additional fees are payable for Food traders, also listed on the Schedule or contact Health Services on 9394 5000.

Exemptions

Notwithstanding any other provisions of this local law, a requirement to obtain a permit under this local law does not apply to:

- (a) a special event or trading authorised by the City of Armadale under another written law or agreement; or
- (b) a person trading in a street market authorised by the City of Armadale.

Responsibilities of the Permit Holder

The Permit Holder shall:

- (a) keep any stall, stand, table, structure or vehicle specified in the permit in a clean, safe condition and in good repair;
- (b) keep to the location specified in the licence free from refuse and rubbish; and
- (c) to have the licence available at all operation times and produce the licence to any authorised person or any police officer when requested,

The Permit Holder shall not:

- (a) engage in or permit any trading in any goods, wares, merchandise or services other than those specified in the licence;
- (b) cause, permit or suffer any nuisance to exist, arise or continue on or from the location to which the licence applies;
- (c) obstruct the free passage of pedestrians on any footpath or pedestrian access way;
- (d) erect, place or display or permit to be erected any advertisement, placard, poster;
- (e) cry out, shout about or permit any other person to cry out or shout about any goods, wares, merchandise or services in any street or public place;
- (f) 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 City.

Temporary and mobile food businesses are considered food businesses under the Food Act 2008. You may access a copy of the legislation at the State Law Print website: www.slp.wa.gov.au

The Act also calls up the Australian Food Standards Code to provide specific food safety requirements. These standards can be accessed at the Food Standards Australia New Zealand website: www.foodstandards.gov.au
Please be aware there are significant penalties for non-compliance with this legislation.

As a result of the new Food Act 2008, temporary and mobile food businesses must notify themselves to their relevant local government and may require registration under the Act. If your temporary or mobile food business is based in the City of Armadale (commercial address or residential address where vehicle is garaged or food is prepared / stored), then you will need to complete and submit a Food Business Registration/Notification Form with this application (if not done already).

Notification/registration is done once only (not annually), and remains valid as long as there is no change in the food business operation and activities.

If your temporary or mobile food business is based outside of the City of Armadale, you will need to liaise with your relevant local government with regards notification/registration of your food business.

The City will accept written evidence (photocopy of your registration certificate or notification), from any local government as part of your application for a stall holder / trader permit within the City and will not require duplicate registration in the City of Armadale if such evidence is provided.

For further details and requirements of registration of a food business within the City of Armadale please visit <https://www.armadale.wa.gov.au/food-businesses>