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## 1. OBJECTIVE

- To sustain and grow local businesses in a way that benefits the local community.
- To provide safe temporary trading environments for the community and maintain amenity; and
- To provide guidance and direction on the location and management of mobile traders in the district.

## 2. APPLICATION

This policy has been developed to provide clarity and guidance on the assessment and approvals of mobile trading applications. The Policy must take into account the provisions of the City of Karratha Activities in Thoroughfares and Trading in Public Places Local Law and the National Competition Principles Agreement.

This Policy will apply to all mobile traders. Where there is discrepancy between this Policy and the Local Law, the Local Law will take precedence. This does not include trading of pre-ordered goods and services.

## 3. PRINCIPLES

### 3.1 Approved Mobile Trading Areas

Any stallholder who wishes to operate their stall will only be permitted to trade from the following Approved Mobile Trading Areas:

#### **Karratha**

1. Dreamers Hill
2. Searipple Park, Bulgarra
3. Karratha Tourism and Visitors Centre
4. Karratha Country Club Carpark
5. Baynton West Park
6. Nickol West Park
7. Cattrall Park
8. Karratha CBD

#### **Roebourne**

9. Roebourne Community Centre Carpark

#### **Point Samson**

10. Point Samson Community Hall Carpark
11. Point Samson Viewing Platform Carpark
12. Miller Close Carpark

#### **Wickham**

13. Wickham Recreation Precinct Overflow Carpark

#### **Dampier**

14. Lions Park, Dampier
15. Church Road Pullover Carpark

Appendix 1 of this Policy shows the Designated Trading Areas for each of the Approved Trading Areas.

This provision does not apply to businesses which are not fixed who travel along the road looking for customers and who sells food from their vehicle parked temporarily on the road to customers who stop the operator or come to them while parked.

### **3.2 Conditions of operation**

- A mobile trader shall not operate without first obtaining a permit to trade in a public place that has been issued by the City. An application fee must be paid prior to operation as set out in the Fees and Charges document adopted by Council for the relevant financial year.
- The City may decide to close Approved Mobile Trading Locations to all activities, including trading at any time.
- The maximum number of mobile traders for each Approved Mobile trading Area shall be as specified in Appendix 1.
- In the CBD, temporary trading can only occur for a maximum of one (1) hour per day with permission from the landowner and the City.
- Trading in the CBD shall not be undertaken within 100 metres of a fixed business selling similar goods. The only exemption will be traders operating as part of an approved event by the City.
- Trading shall only occur within the Approved Trading Areas and Designated Trading Sites as detailed in Appendix 1.
- Where a Designated Trading Site is occupied by a non-trader, a mobile trader may park in an alternative Site subject to traffic flow being maintained and the maximum number of mobile traders is not exceeded.
- The Approved Mobile Trading Area for Dreamers Hill is a mobile trading area only. This means that customer parking must occur outside of this approved trading area.
- Day time trading shall only occur between the hours of 5am – 5pm. Night-time trading shall only occur between the hours of 5pm – 10pm.
- The Designated Trading Site must be vacated when trading is not being conducted and at the end of an approved day time or night-time trading period.

The City will be responsible for allocating day time or night-time trading for each of the Approved Mobile Trading Areas. This will be coordinated through a roster system, with applications made to the City on a specified date. The City will arbitrate any disputes and can cancel trading permits if traders do not adhere to conditions.

The City will not be responsible for the conditions of Approved Mobile Trading Areas such as surfacing of the ground, lighting availability or public toilets.

### **3.3 Approval Requirements**

Unless formal approval has been granted by the City to utilise an Approved Mobile Trading Area as listed in this policy, conducting a stall or trading in a public place is not permitted.

Trading will not be approved in high traffic areas where temporary trading may create both traffic and pedestrian safety issues or when trading will negatively impact on the availability of car parking in the area.

The following circumstances will not require a trading permit from the City:

- Existing legal business placing stalls on public land adjacent to their premises provided that adequate access is afforded to pedestrians and public safety is maintained to the satisfaction of the City.
- Community groups conducting car washes where they have the premises owner permission, and the safety of persons involved in the stall and traffic flow is not jeopardised.
- Community groups operating a Market Day or Swap Meet will be exempt provided that they have the landowner's permission and the operation of the Market Day or Swap Meet is seen as a benefit to the community.

An application shall be made to the City's Planning Services team for the storage of a mobile trading vehicle or any equipment in a residential location.

### **3.4 Trading at a public event**

Trading at a public event will only be approved where the applicant has received written permission from the event organiser.

For larger community events the event organiser may apply for a permit on behalf of all the stalls that are at the event.

### **3.5 Grounds on which an application may be refused**

An application submitted to the City may be refused where one or more of the following applies:

1. The applicant is not deemed a fit and proper person to hold a trading permit. An applicant will be deemed not a fit and proper person where they have committed a breach of the Council's Local Laws, or any other legislation pertinent to the conduct of their business.
2. The applicant intends to trade in an area where conducting a stall or trading is not permitted.
3. The conduct of a stall or trading may potentially result in traffic and pedestrian safety being compromised.
4. Selling of products out of a car boot, or other method which does not present a professional image.
5. The conduct of a stall does not conform to the proper and orderly planning of the area.
6. Any other ground that the Council of the City of Karratha deems relevant to the application.

### **3.6 Application to conduct a stall or trade in a public place**

Application to conduct a stall or trade in a public place shall be in the form prescribed by the Council's Environmental Health Service and will include all details requested within the said form including:

- Be accompanied by a copy of the public and product liability insurance to the minimum value of \$10,000,000. This insurance must be obtained before formal approval will be granted, and where the insurance period lapses during the proposed license period, any approval be conditional on such insurance cover being maintained.
- Where the applicant intends to employ assistants, a current copy of the business Workers Compensation Insurance.
- Where the stall is a vehicle, trailer or similar apparatus, a current copy of the Third Party Motor Vehicle Insurance.

## **4. CONSEQUENCES**

This policy represents the formal policy and expected standards of the Council. Appropriate approvals need to be obtained prior to any deviation from the policy. Elected Members and Employees are reminded of their obligations under the Council's Code of Conduct to give full effect to the lawful policies, decisions and practices of the Council.

## **5. ROLES AND RESPONSIBILITIES**

All staff approving stall holder and trading permits are to be aware of this policy and apply the provisions of the policy to all new or amended applications.

## **6. REFERENCES TO RELATED DOCUMENTS**

- *Health (Miscellaneous Provisions) Act 1911* and subsidiary legislation
- *Public Health Act 2016* and subsidiary legislation
- City of Karratha Activities in Thoroughfares and Public Places Local Law 2017
- *Food Act 2008* and subsidiary legislation
- *Local Government Act 1995* and subsidiary legislation
- City of Karratha No. 8 Town Planning Scheme
- Local Planning Policy DP08 Roebourne and Wickham Mixed Business Zone
- Local Planning Policy DP13 Tourism Zone Development Requirements

Policy Number:	DR-05
Previous Policy Number:	DE-03
Resolution Numbers:	15125, 152495; 152877-Jun 2014; 153747-Mar 2017; 154614-Jun 2020 (Ad); 154653-Aug 2020; 154842-Jul 2021
Last Review:	July 2021
Next Review:	July 2023 [Every 2 Years]
Responsible Officer:	Manager Approvals and Compliance

*This policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.*



**Nickol West -**  
Maximum of 1 trader.

**Baynton West -**  
Maximum of 2 traders

**Dreamers Hill - Maximum of 4 traders**  
 Mobile Trading Area Only (No Customer Parking)  
 Customer Parking  
 Display of Vehicles for Trade  
 Solar Light

**CITY OF KARRATHA**

LOT 1083 WELCOME ROAD, PO BOX 219, KARRATHA  
 PH: (08) 9188 8555

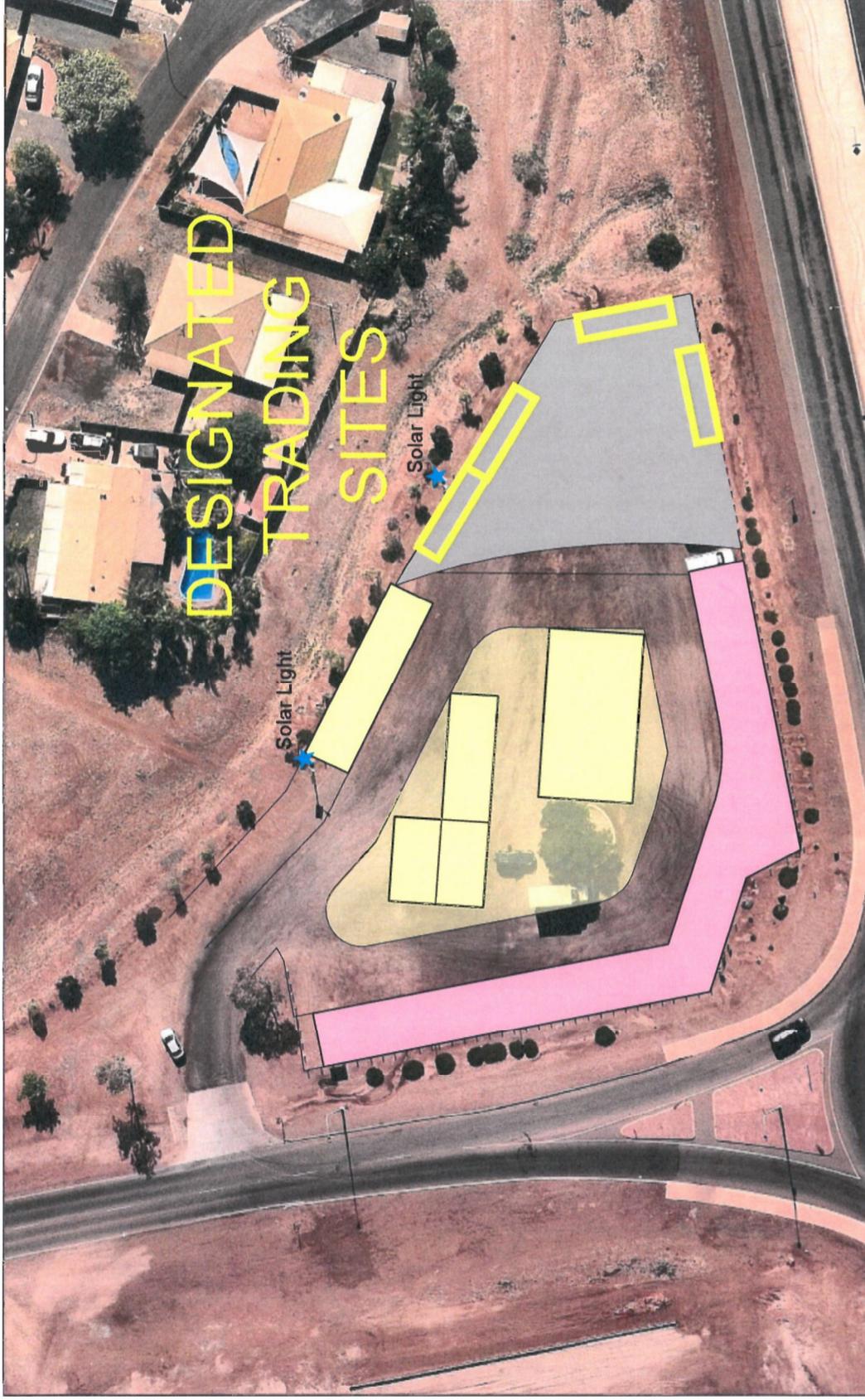


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**APPROVED MOBILE  
 TRADING AREAS  
 KARRATHA**

CITY OF KARRATHA



# DESIGNATED TRADING SITES

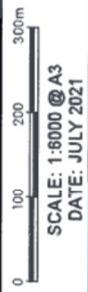
## Dreamers Hill - Maximum of 4 traders

-  Mobile Trading Area Only (No Customer Parking)
-  Customer Parking
-  Display of Vehicles for Trade
-  Solar Light



**CITY OF KARRATHA**

LOT 1083 WELCOME ROAD, PO BOX 219, KARRATHA  
 PH: (08) 9186 8535

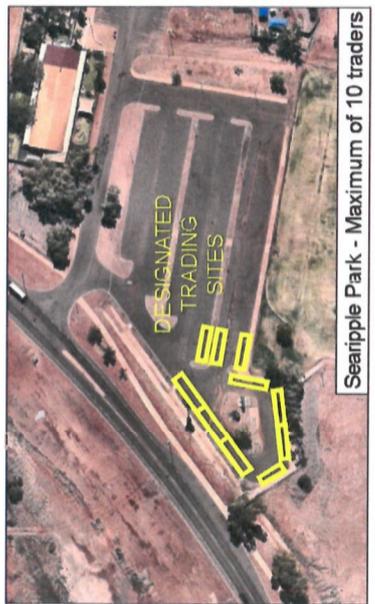


**APPROVED MOBILE  
 TRADING AREAS  
 KARRATHA**

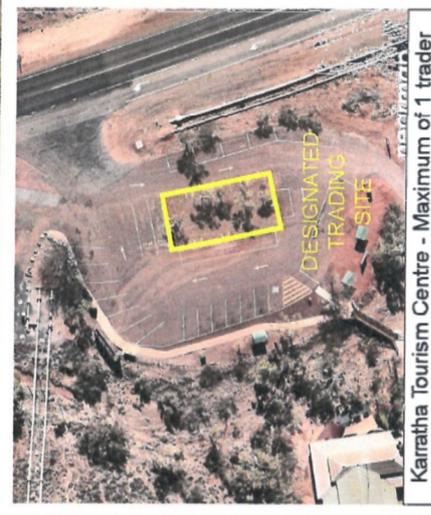
CITY OF KARRATHA



Karraatha Country Club - Maximum of 3 traders



Searipple Park - Maximum of 10 traders



Karraatha Tourism Centre - Maximum of 1 trader

# APPROVED MOBILE TRADING AREAS KARRATHA

CITY OF KARRATHA

## CITY OF KARRATHA

LOT 1083 WELCOME ROAD, PO BOX 219, KARRATHA  
PH: (08) 9186 8555



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DATE: JULY 2021





Lions Park - Maximum of 3 traders

Church Road Pullover Area - Maximum of 2 traders  
 No mobile trading to occur between the hours of  
 7:30am - 9am and 2 - 3:30pm

**CITY OF KARRATHA**  
 LOT 1083 WELCOME ROAD, PO BOX 219 . KARRATHA  
 PH:(08) 9186 8555

0 25 50 75 100m

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 DATE: JULY 2021

NORTH

**APPROVED MOBILE TRADING AREAS**  
**DAMPIER**

CITY OF KARRATHA



Roebourne Community Centre - Maximum of 3 traders



**CITY OF KARRATHA**

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PH: (08) 9186 8555



SCALE: 1:2000 @ A1  
DATE: JULY 2021



**APPROVED MOBILE  
TRADING AREAS  
ROEBOURNE**

CITY OF KARRATHA



**CITY OF KARRATHA**

LOT 1083 WELCOME ROAD, PO BOX 219, KARRATHA  
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 DATE: JULY 2021

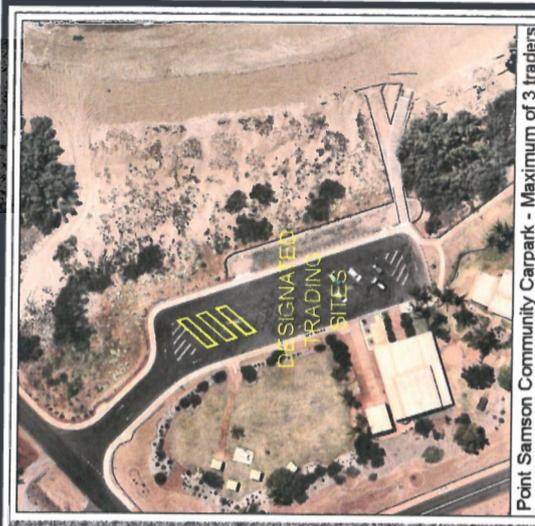
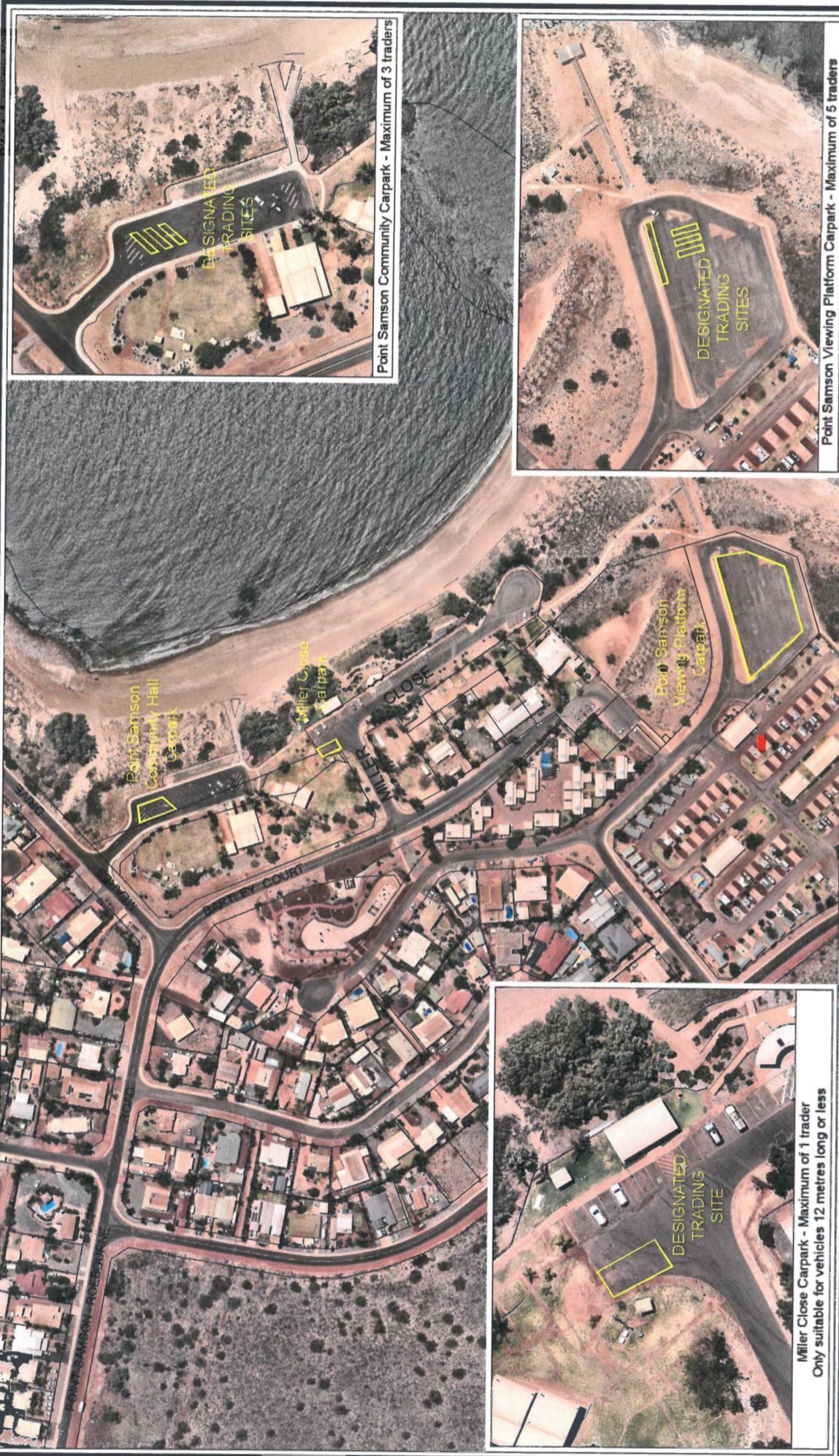


NORTH

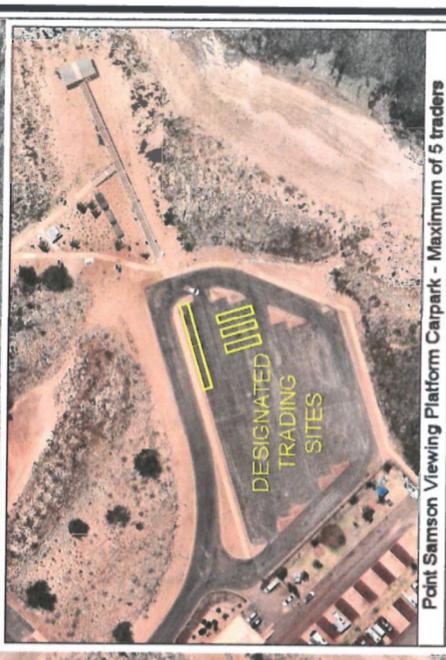


**APPROVED MOBILE  
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 WICKHAM**

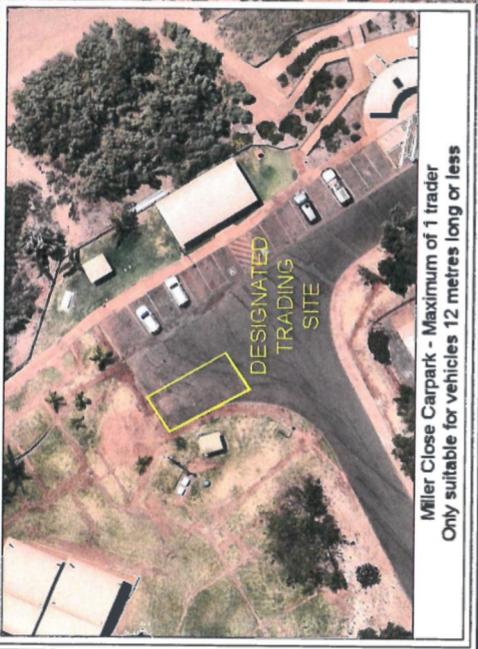
CITY OF KARRATHA



Point Samson Community Carpark - Maximum of 3 traders



Point Samson Viewing Platform Carpark - Maximum of 5 traders



Miller Close Carpark - Maximum of 1 trader  
Only suitable for vehicles 12 metres long or less

**CITY OF KARRATHA**

LOT 1983 WELCOME ROAD, PO BOX 219, KARRATHA  
PH:(08) 9186 8555



DATE: JULY 2021



**APPROVED MOBILE  
TRADING AREAS  
KARRATHA**

CITY OF KARRATHA