

Requirements, Guidelines and Conditions

Street Activities –Street Stalls and the provision of Information, Goods and Services

The Burnie City Council may grant a permit for temporary use of a local street for:-

- Street stalls with a charitable or community purpose;
- Stalls for the provision of advice, information or a service without charge to the general community in relation to charitable, community, educational, health, political or religious purposes;
- Street surveys and awareness campaigns;
- Access to a vending machine or a servery on land or premises having frontage to a Council street;
- Hawking of goods and services; or
- Retail trade or business activity only in conjunction with an approved event or promotion involving the whole or a significant portion of the relevant business area (but excluding the provision of tables and the service of food as provided for within the *Street Dining By-law No 14 of 2009*).

The Council will not permit use of a Council street for conduct of a retail trade or business activity, whether or not associated with the occupation of adjoining land or premises, including the display of goods.

Any information or promotion stall, vending machine or servery, or hawking conducted on a street within the Burnie municipal area must comply with the following requirements in accordance with the *Burnie City Council Highways By-law No 3 of 2013*.

NB – This document is to be read in conjunction with the General Terms and Conditions.

Permit

- a. The maximum period for occupation under a Permit will be four calendar days per calendar year.
- b. Any business or resident likely to be immediately affected by the occupation must be advised not less than five (5) days prior to the occupation on the nature and the duration of the proposed activity and be provided with a contact number for enquiries.

Location on a footpath

- c. The occupation must be located on the footpath and in a location where it will not hinder or unreasonably obstruct passage or create an inconvenience or risk to any person passing along the footpath or to and from any adjoining premises or facility, including an access to arcades and to designated pedestrian crossing points on a highway or to any car parking space.

In this regard not less than 1.8 m or 50% of the footpath width, whichever is the greater, must remain clear at all times for use of pedestrians and the total occupied area must not exceed 4 m².

In locations where there is a formed footpath and the balance of the roadside inside the kerb-line is a grassed verge, then the occupation must be fully positioned within the grassed roadside only.

- d. Occupation will not be permitted within a bus stop, taxi rank or loading zone or within 12 m of a pedestrian crossing or an intersection; or within 0.5 m of a parking meter or ticket machine, public seating, waste bins, street tree, planter box; or over a fire hydrant, utility service pit, or inlet to a stormwater drain.

Risk management

- e. Satisfactory measures must be taken to ensure the occupied area presents no risk or hazard to any person in the vicinity.
- f. Any equipment or structure associated with the occupation is to be set up and removed each day. Equipment and structures must not be fixed to the footpath or to any item of street furniture, and must be of sound condition and repair and suitable for the purpose.
- g. Food stalls involving the preparation of raw ingredients and/or the cooking of foods must be in accordance with the relevant standards for temporary food premises, and incorporate an absorbent and impervious cover between the food preparation/cooking area and the pavement to prevent staining and contamination of the highway surface.

Conduct

- h. The use of amplified messages and music is not permitted in conjunction with the conduct of any stall.
- i. Public seating, lamp poles and other street installations must not be used in conjunction with the approved occupation.
- j. Signage within the occupied area must be limited to identification of the activity, the person or organisation conducting the activity, or the goods and services associated with the occupation.
- k. The permit does not include the right to display banners or signs on any vehicle lawfully parked adjacent to the occupied site or at any location in the highway outside the designated area for occupation.
- l. Distribution of handbills, leaflets or brochures may be permitted subject to the activity being conducted from a stationary point by not more than one person.
- m. Soliciting or unwanted approach to members of the public is not permitted.
- n. No vehicle is to be driven onto or parked on the footpath for any purpose.

Other Approvals

- o. The Council will require a copy of any license required to conduct collections or to sell tickets or opportunities in games of chance or to serve or sell alcohol to accompany an application for occupation of a highway.

Considerations for Vending Machines and Servery

- a. No part of the vending machine or customer servery is to be located on the highway.
- b. Service and maintenance (other than cleaning and repair to the face of the machine) and the re-supply of a vending machine must be conducted from within the boundaries of the land on which the vending machine is located and no use is to be made of any part of the highway for conduct of these functions.
- c. No signboard or other advertising material is to be located on the highway within the frontage from which the vending machine or servery is operated.

Considerations for Hawkers

- a. Hawking of goods and services is not permitted within the Burnie town centre.
- b. A hawker's vehicle must only stop to conduct business in locations where the stopping and parking of vehicles is allowed under traffic laws applying in the locality.

A person seeking to conduct to undertake activities involving the provision of Information, or the promotion or provision of Goods and Services on a Council street must complete an *Application for Conduct of an Activity or Work within a Council Street*, and obtain a Permit from the Council prior to conduct of the activity prior to commencement of the activity.