



## Policy PS3 – Trading in Public Places

### 1. Policy Intention

To outline support for trading in public places, subject to limitations and restrictions to –

- develop a vibrant commercial and cultural environment for residents and visitors;
- ensure approved trading activities do not conflict with or prejudice the Shire's permanent retail and service base, or other normal functions of the Shire; and,
- ensure that the operation of trading activities are appropriate in particular areas and they do not cause a nuisance.

### 2. Policy

Trading in public places, subject a valid licence being obtained and/or maintained is supported, except in the following areas –

- (a) The Pinjarra Central Business District (CBD) and the South Yunderup Commercial Area, (refer to clause 2.3);
- (b) On or adjoining (50 metres of) the following roads:  
Kwinana Fwy, Forrest Hwy, South Western Hwy, Pinjarra Rd (including carpark on corner Pinjarra and old Mandurah Road, George Street, Pinjarra-Williams Road, and Old Bunbury Road.
- (c) Within view of road users from any Highway or Freeway.
- (d) No closer than 300 metres of any shop or permanent place of business that has for sale the same kind of goods or merchandise being offered for sale.
- (e) No closer than 300 metres of schools between the hours of 8:00am to 9:00am and 3:00pm to 3:45pm, except during school holidays, weekends and public holidays.

In the case of itinerant vendors on roads with speed limits of greater than 60 km/hr.

#### 2.1 General Notes

Any trading on privately owned or public land also requires permission of the land-owner, or where the land is leased, from the lease-holder.

There is a general presumption against trading in road reserves unless the site has a formal parking area (such as rest areas).

Any trading within a Shire approved event requires approval of the event manager, and a Shire stallholder's licence.

Nothing in this Policy implies that Council will approve the use of public land under the care and control of the Shire for use for commercial trading activities.

#### 2.2 Licensing

A robust framework is to be implemented to appropriately document and effectively manage –

- applications for trading licenses,
- grounds for refusal,
- conditions to be applied to licenses;
- and ensure appropriate public access and egress;
- public safety from any cause whatsoever; and,
- compliance with applicable legislation.

Licence fees are determine in accordance with the Act.

#### 2.3 Prohibited Trading Areas (Clause 2(a))



South Yunderup



Pinjarra CBD

Previous Policy Reference	PD03	
Related Legislation	<i>Shire of Murray Consolidated Local Law 1999; Local Government Act 1995.</i>	
Related Policies	N/A	
Related Documents	Trading in a Public Places – Licence; Trading in Public Places Management Practice HE001.	
Last Reviewed	January 2018	
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