

1.58 Trading in Public Places

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Date of Approval	15/09/2009
Amended/Revised	15/01/2025

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Objective

- To protect the amenity and function of the City's public places and maintain priority use for community members.
- To provide direction to City staff in the processing of applications for trading in public places, in accordance with the City of Albany's [*Activities on Thoroughfares and Public Places and Trading Local Law 2011*](#) and/or Local Government Property Local Law 2011.
- Encourage traders to operate in locations that support the activation of underutilised public places and enhancement of community activity.
- Ensure traders operate in a manner that complements existing 'bricks and mortar' businesses and does not threaten the vibrancy of the Albany Central Business District (CBD) and retail centre.
- To provide a clear set of controls for operators to trade under.

Scope

Inclusions:

- This policy applies to all public land within the City of Albany and all businesses and individuals seeking to use public land to operate a business or for financial gain.

Exclusions:

- This policy does not apply to Traders ([*excluding clause G: Itinerant Traders, Point 5*](#)) who wish to trade on privately owned land. Proposals to use private land will generally be subject to a development application.

Policy Statements

A: Provisions applicable to all traders in public places

- (1) The City will consider the interests of the community above the interests of the individual for all applications to trade in public places under the management of the City of Albany.
- (2) For the City to consider any proposal to trade on public places to be in the interest of the community, the proposed use of public places must:
 - Enhance the experience of the public place.
 - Be consistent with long-term city goals and/or objectives.
 - Not impact community enjoyment of the public place.
 - Not disrupt the operation of, or cause nuisance to, the public place.
 - Not impact on the existing or desired amenity of the public place.
 - Not impact on the intended use of the land.
 - Not compromise public safety.
 - Not compromise traffic flow, car parking or landscaping.
 - Not conflict with, or prejudice permanent businesses or other normal city functions in the immediate vicinity.
- (3) Given the wide variety of private uses that can be proposed in public places, the City reserves the right to identify additional matters not listed under provision 9 above. Where additional matters are identified, the applicant will be provided with an opportunity to address these, prior to the final determination of the permit application.
- (4) The City of Albany reserves the right to absolute discretion to grant or refuse an application for the use of public places, in the community interest.

Advice: Any refusal to use public places should not be taken as precluding you from operating the proposed commercial venture, rather the commercial venture is unable to be supported within a public place.

- (5) Traders must ensure that the trading location is kept clean and tidy at all times. The permit holder is responsible for the disposal of all litter associated with the provision of the goods or services and the cleaning of the permit location.

Advice: No waste or litter shall be disposed of into the City of Albany rubbish bins. Traders must provide adequately sized bins for patrons' and business use and remove all rubbish from the approved location at the end of trade.

- (6) Wastewater, solid waste, litter or any other pollutant must not be placed or discharged on to the site or allowed to enter the stormwater drainage system.

Advice: Mobile food vehicles must have a holding tank for wastewater.

- (7) Traders shall depart from a trading location upon the direction of any person or body, authorised to carry out any works in the street, thoroughfare, local government property or public place in which the trader is situated.

- (8) Traders shall not have any claim for compensation or damages as a result of any disruption to business or loss incurred due to an event, market, parade, thoroughfare works or any other contingency.

Advice: The City is under no obligation to relocate the trader should operations be impacted by the circumstances listed under provisions 14 and 15 above.

- (9) Traders shall not obstruct, cover, remove, relocate or modify trees or landscaping, public art, benches, bins, bus shelters, footpaths, roads or other City-owned infrastructure.
- (10) Trading shall only take place in a suitable area with the City of Albany's permission and where it does not cause a safety or nuisance concern or impact the existing or desired amenity of a place.
- (11) Traders may use public car parking areas subject to compliance with all relevant provisions of this Policy provided local car parking requirements (car parking numbers, appropriate vehicle manoeuvrability, vehicle access/egress etc.) are not impacted.
- (12) To ensure public safety, trading must be conducted in areas that are serviced by adequate lighting, should trading be proposed during hours of darkness.

Advice: No person shall install or cause or permit the installation of outdoor lighting otherwise than in accordance with the requirements of Australian Standard AS 4282 - 2019 Control of the Obtrusive Effects of Outdoor Lighting.

- (13) Advertising signs are restricted to the location from which the business is conducted. No permanent signage will be permitted in a public place.

- (14) Associated fixtures such as tables and chairs may be provided on-site at the discretion of the City of Albany.

Advice:

- *Fixtures are to be of a temporary nature and removed from the site at the end of trade;*
- *Fixtures must not obstruct pedestrian flow or vehicular traffic.*

(15) To apply for permission to operate as a trader within the City, the following documentation will be required:

- A completed Permit Application form, including proposed payment details;
- A cover letter introducing the proposal and summarising the following details:
 - Proposed location (unless applying as an itinerant trader)
 - Details of goods/services sold
 - Expected hours of operation
 - Statement against the relevant provisions of this Policy (including how the application is consistent with community interest)
- A Management Plan detailing the following information:
 - Details as to how amenity of the public place/s will be maintained
 - Details as to how the potential for public nuisance will be minimised.
 - Details on waste generation and method for ensuring location/s remains clean, tidy and free of litter
 - Details on the provision of power, water, gas or other servicing requirements.
 - Any other information deemed relevant by the City of Albany (Applicants are advised to discuss information requirements with the City of Albany as early as possible).
- Details of the vehicle and trailer (if relevant) to be used in the proposed operation, as well as a site plan detailing where the vehicle/trailer will be stored when not in operation. *Advice: Please note the vehicle and trailer must be stored entirely within property boundaries (verge parking not permitted) and shall ensure sufficient on-site parking bays for any existing use of the site (as required under LPS1 or the R-Codes). If this is not possible at your residence, alternative parking locations should be explored.*
- Photographs and/or elevations of the trading vehicle depicting the external appearance of the vehicle (if relevant)
- A copy of current public liability insurance to the value of \$20 million; and
- If food is sold, a current copy of your *Food Act 2008* Certificate of Registration (noting the vehicles' internal fit-out must comply with the requirements of the *Food Regulations 2009*, applicable ASNZ Food Standards Codes and the City of Albany Health Local Laws) is required.

B: Approved Events and Markets:

Subject to approval from event holders:

- If your food business (registered food business and as a stall holder) is based within the City of Albany, no food stall approval is required to trade at an event or market.
- If your business is located outside of the City of Albany an Application for a Temporary Food Stall Approval will be required (unless proof of appropriate registration in another local government area is provided).

C: Approved Fixed Locations:

- (1) The City of Albany has identified fixed trading locations where trading may be permitted only by the approved trader in accordance with their licence (refer to Annexure A).
- (2) Traders may also put forward an application to trade at a location not currently listed as a fixed location within Annexure A. The City will assess any location put forward in this manner against the objectives of this policy and the purpose of the Reserve before granting approval.

Advice:

- *This process may require amendments to this Policy and/or determination at an Ordinary Council Meeting. Traders likely to experience time pressures are therefore encouraged to commence this process as soon as possible or apply for an existing fixed location.*
 - *The City may make a determination as to whether a trading permit can be issued to the operator under the provisions of this policy before progressing with an application for a new fixed location.*
- (3) A fixed location trader licence may be issued for a maximum of two years, however, a shorter term may be issued at the City's discretion (particularly for inexperienced operators).
 - (4) A fixed trading location becomes available for reallocation if the trader ceases trading for a period of six months or advises that they wish to cease trading.
 - (5) Unoccupied fixed locations remain available until a licence has been issued to a suitable operator in accordance with provision 32 below.
 - (6) Annual fixed location trading fees will be set each year by the Council through the budget process and fees may differ depending on the location/desirability of the site (as shown in Annexure A). The desirability rating is based on the proximity to the CBD, attractiveness of the locality and/or potential for passing trade.

Advice: Please contact the City of Albany Planning Department should you wish to discuss fees payable for individual sites.

- (7) City reserves the right to refuse an application for a fixed location licence should the application not successfully demonstrate compliance with any or all of the above criteria, even if the proposed site is currently unoccupied.
- (8) Approval of a fixed location permit does not grant the permit holder exclusive rights to the permit area.

D: Approved Fixed Locations (Food):

Fixed location trader licences will be determined at the discretion of the City, on their individual merit and against the following criteria:

- How will the operation benefit the community (i.e. authenticity, quality, unique culinary experience and celebrating local produce);
- How will the operation enhance the experience of, and be relevant to the purpose of the public place;
- Experience of the trader (e.g. food van or restaurant that is currently operating);
- Relevant qualifications (e.g. barista certificate, qualified chef or baker etc)
- Possession of a well-designed and well-maintained vehicle that is aesthetically pleasing and complies with the City's environmental health requirements.
- Historic use of a specific location by the trader and existing patronage by the community.
- Appropriateness of the Management Plan provided by the trader.
- Knowledge of food safety principles.
- Marketing plan and social media presence.

Advice: The City will place a particularly high emphasis on benefits to the community in accordance with dot points one above. Given the prominence of the locations on offer, high-quality, unique and/or authentic cuisine will be favoured. Operators proposing more standard fast food or café fare, may not be deemed suitable for certain locations.

E: Approved Fixed Locations (Non-Food):

- (1) There is currently one non-food location, other than the leased areas that are located within the Middleton Beach carpark (refer to Annexure B).
- (2) The fixed location non-food trader licences will be determined at the discretion of the City, on individual merit and against the following criteria:
 - How will the operation benefit the community (i.e. to what extent will the operation address a particular need)?
 - How will the operation enhance the experience of, and be relevant to the purpose of the public place?
 - Impact on other similar businesses in the vicinity (are other operators offering similar goods/services nearby)
 - Experience of the trader (e.g. previous experience in similar operations).
 - Possession of a well-designed and well-maintained vehicle that is aesthetically pleasing and complies with the City's environmental health requirements (if relevant).
 - Historic use of a specific location by the trader and existing patronage by the community.
 - Appropriateness of Management Plan provided by the street trader.
 - Marketing plan and social media presence.

F: Non-Food Operators - General:

- (1) Aside from the approved fixed location listed above, applications for non-food fixed or itinerant traders (particularly retail and personal services) will generally not be supported by the City of Albany in a public place.
- (2) Notwithstanding the above, exceptional non-food offerings which can demonstrate they achieve the relevant criteria of this policy may be supported, at the discretion of the City.

Advice: Please note that a resolution of the Council may be required in these circumstances.

G: Itinerant Traders

- (1) Traders may apply for a Permit to sell to the public by travelling from place to place throughout the City in accordance with this Policy.
- (2) Traders operating under this arrangement are precluded from selling within the Albany Central Business District (CBD), as indicated within Annexure C – Albany CBD: Itinerant Traders Exclusion Zone.
- (3) Trading is permitted in areas outside of the Albany CBD provided that:
 - It occurs a minimum of 200 metres away from any shop or other permit holder, offering a similar product for sale (except when the Trader has been invited onto a property by the property owner/occupier and is participating in an approved event such as a weekend market or sporting event); and
 - It occurs a minimum of 200 metres away from a school between the hours of 7.00 am and 9.00 am and 2:30 pm and 4.00 pm during school days; and
 - If parked in a safe location within a public car parking area/space (complying with local parking restrictions) traders move on within the following maximum daily time limits:
 - Less than 2km away from the closest point to the CBD - Traders move on when all customers at a particular location have been serviced
 - More than 2km but less than 10km away from the closest point to the CBD - 2 hours
 - More than 10km away from the closest point to the CBD - 4 hours
- (4) Itinerant coffee vendors are permitted to temporarily locate on private property and sell goods [following this clause, excluding points that reference public land](#), provided landowner approval has first been obtained.
- (5) The City may limit the number of itinerant food trader permits issued if it is determined the operation of itinerant food vendors is causing undesired impacts to local amenity, the operation of existing bricks and mortar businesses, or any other issue considered relevant by the City.

H: Stallholders

- (1) Approval for stalls, other than stalls that are part of an approved market or extend the service area of an existing business onto the adjacent footpath, will be restricted to community associations only.
- (2) A stallholder proposing to operate a food stall, that will offer for sale to the public potentially hazardous food (e.g. sausage sizzles) is required to submit an application for approval (unless proof of appropriate registration is provided) to the City's Environmental Health team.
- (3) All food products that are not for immediate consumption must be labelled in accordance with the relevant food regulations.
- (4) Community associations will not be required to pay permit fees.

I: Alfresco-Dining

- (1) Operators of alfresco dining areas are required to hold a permit under the provisions of the *Activities on Thoroughfares and Public Places and Trading Local Law*, where they are referred to as outdoor eating facilities.
- (2) Applications may only be submitted by proprietors of existing food premises who wish to extend their service area onto the adjacent footpath (generally) in front of their premises.
- (3) A proprietor approved to operate an alfresco dining area is required to indemnify the City in writing against any action taken against the City by a person injured or suffering loss due to the presence of the alfresco dining area.
- (4) The boundaries of an approved alfresco dining area are to be marked and maintained by the registered proprietor. Markers can be purchased from the City.
- (5) Tactile directional tiles, removable railings or planter boxes may be required by the City, at the business proprietor's expense, to provide delineation to a dining area for the visually impaired.

- (6) Tables and chairs used in the alfresco dining area should be designed for commercial outdoor use. Please note domestic furniture will not be permitted.
- (7) All patrons and furniture must remain within the delineated boundaries of the alfresco dining area. It is the responsibility of the permit holder to ensure this requirement is complied with at all times.

Advice: Patron behaviour in the alfresco area should be regularly monitored and controlled (if required).

- (8) Tables and chairs used in the alfresco dining area must be located no closer than 600 millimetres from the adjacent kerb to allow passengers to alight from vehicles.
- (9) A minimum 1800mm unobstructed thoroughfare must be maintained for pedestrians at all times.
- (10) Tables, chairs and other furniture associated with the alfresco dining facility should generally be removable and stored inside the premises following the close of business. More permanent furniture can be explored subject to a development application and building permit (if required).
- (11) Operators must provide table service to patrons within an approved alfresco dining area at all times.
- (12) No advertising signs, other than the logo or name of the outlet, will be permitted in an alfresco dining area.
- (13) The City of Albany reserves the right to withdraw the alfresco dining permit at any time and for any reason, including non-compliance with the above requirements or permit conditions.

Advice: The applicant is encouraged to explore whether the additional seating capacity resulting from the alfresco dining area will necessitate upgrades to existing sanitary facilities before proceeding with an alfresco dining application.

J: Market Operators

- (1) Operators of markets on public land are required to hold a permit under the provisions of the Activities on Thoroughfares and Public Places and Trading Local Law.

Advice: For a market on private land, development approval under the City of Albany Local Planning Scheme No.2 is required.

- (2) Individual stalls, other than stalls selling food, are covered by the market operator's licence - individual licencing fees will not be charged.
- (3) Stallholders proposing to operate a food stall, which will offer for sale to the public potentially hazardous food (e.g. sausage sizzles) are required to be registered/hold registration under the provisions of the *Food Act 2008*.
- (4) All food products that are not for immediate consumption must be labelled in accordance with the relevant health regulations.

Legislative and Strategic Context

The City of Albany *Activities on Thoroughfares and Public Places and Trading Local Law 2011* and the Local Government Property Local Law 2011 require street traders to obtain a licence for trading in public places.

This policy aims to provide direction and guidance for City officers assessing applications and to ensure equity for all commercial outlets.

Review Position and Date

This policy should be reviewed every two years, or earlier if required.

Associated Documents

Strategies, procedures, references, guidelines or other documents that have a bearing on this policy and that may be useful reference material for users of this policy:

- *Food Act 2008*
- *Food Regulations 2009*
- Australia New Zealand Food Standards Code
- *Activities on Thoroughfares and Public Places and Trading Local Law 2011*
- *Local Government Property Local Law 2011*
- *Environmental Protection (Noise) Regulations 1997*
- **National Competition Policy:** *Noting Australia's National Reform Agenda is the successor program to the National Competition Policy. Clause 7 of the Competition Principles Agreement extended elements of the National Competition Policy reform agenda to local government.*

Definitions

- **Approved Location** means a location from which vendors can trade with City approval.
- **Approved Event** means a City of Albany event or an event that has been approved under the City of Albany's event approval process.
- **Community Association** means an organisation that can demonstrate that its objectives are charitable, benevolent, religious, cultural, educational, recreational or sporting.
- **Food Stall** means a stall from which any perishable or potentially hazardous food, other than fruit or vegetables, is sold or offered for sale unless approved by the City of Albany.
- **Food Van** means any vehicle, caravan, trailer or other similar mobile structure selling or offering for sale any food and or drink (excluding alcoholic beverages).
- **Itinerant Food Vendor** means a form of Street Trader who sells food from a vehicle parked temporarily on the road to customers who stop them or come to them while they are so parked.
- **Market** means premises used for the display and sale of goods from stalls, food vans or similar by independent vendors.
- **Potentially Hazardous Food** means all prepared or cooked food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, crustaceans, molluscs, gravy, cooked rice and pasta or ingredients capable of supporting the growth of infectious or toxigenic micro-organisms.
- **Public Place** includes:
 - Any thoroughfare or place which the public is allowed to use whether or not the thoroughfare is on private property; and
 - Local government property;
 - But does not include premises on private property from which trading is lawfully conducted under a written law.
- **Snack** means a small amount of food eaten between meals.
- **Stall** means a movable or temporarily fixed structure, stand or table in, on or from which goods or services are sold, hired or offered for sale or hire.
- **Stallholder** means a person in charge of a stall.
- **Trader** means businesses or individuals seeking to use public land to operate a business or for financial gain.
- **Trader's Permit** means a person who sells food, goods and/or services from a vehicle parked temporarily on the road/public place while they are parked.
- **Trading in Public Places** refers to the long-term or periodic occupation of city-controlled land for the purposes of either selling or displaying goods or providing services to customers.

Annexures:

- **Annexure A:** Fixed Trading Locations
- **Annexure B:** Fixed Trading Locations – Goods and/or Services (other than food)
- **Annexure C:** Albany CBD – Itinerant Traders Exclusion Zone

Annexure A: Fixed Trading Locations

Middleton Beach	
Trading Term	2 Years
Desirability	A
Special Conditions	<ul style="list-style-type: none">(1) Traders will not be permitted in this location during any community event approved by the City.(2) Traders are to provide their own power, gas and water supply unless alternative arrangements are agreed to by the City of Albany.(3) Trading is limited to between 7.00 am and 6.00 pm.(4) Traders are limited to the service of ice creams, confectionery, snacks and drinks.(5) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.



Centennial Park	
Trading Term	2 Years
Desirability	A
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (3) Trading limited to between 7.00 am and 6.00 pm (4) Traders are limited to the service of ice creams, confectionery, snacks and drinks. (5) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.
	

Sanford Road	
Trading Term	2 Years
Desirability	A
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (3) Trading limited to between 7.00 am and 6.00 pm (4) Traders limited to the service of ice creams, confectionary, snacks and drinks. (5) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.



Lower King	
Trading Term	2 Years
Desirability	A
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (3) Trading limited to between 7.00 am and 8.00 pm (4) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours. (5) Vehicle circulation space should not be obstructed. (6) Trader to ensure no more than 1.5 bays are occupied by the trader and associated/incidental materials at all times. (7) Trading term may be limited to 3 months initially to trial the fixed location.



‘Surfers’ Beach Middleton	
Trading Term	2 Years
Desirability	A
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Trading is limited to between 7.00 am and 6.00 pm. (3) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours. (4) The trader accepts the risk of stray golf balls from the adjacent golf course. (5) Trader responsible for ensuring gate remains closed outside of operating hours. (6) No towing vehicles (if relevant) permitted to park in this location. (7) Trader shall ensure adjacent footpath remains unobstructed at all times (includes customers queuing or eating and towing vehicles).



Foundation Park	
Trading Term	2 Years
Desirability	A
Special Conditions	<p>(1) Traders to provide their own power, gas and water supply.</p> <p>(2) Trading limited to between 7.00 am and 8.00 pm, unless adequate lighting is provided.</p> <p>(3) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</p> <p>(4) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</p>



Lake Weerlara Park	
Trading Term	2 Years
Desirability	B
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Trading is limited to between 7.00 am and 8.00 pm. (3) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours. (4) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (5) Trader shall ensure adjacent footpath remains unobstructed at all times (includes customers queuing or eating and towing vehicles).



Forts Carpark	
Trading Term	2 Years
Desirability	B
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (3) Trading limited to between 7.00 am and 6.00 pm (4) Traders are limited to the service of ice creams, confectionery, snacks and drinks. (5) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours. (6) Trading term may be limited to 3 months initially to trial the fixed location.




Lakeside Park	
Trading Term	2 Years
Desirability	B
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (3) Trading limited to between 7.00 am and 8.00 pm (4) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours. (5) Trading term may be limited to 3 months initially to trial the fixed location.



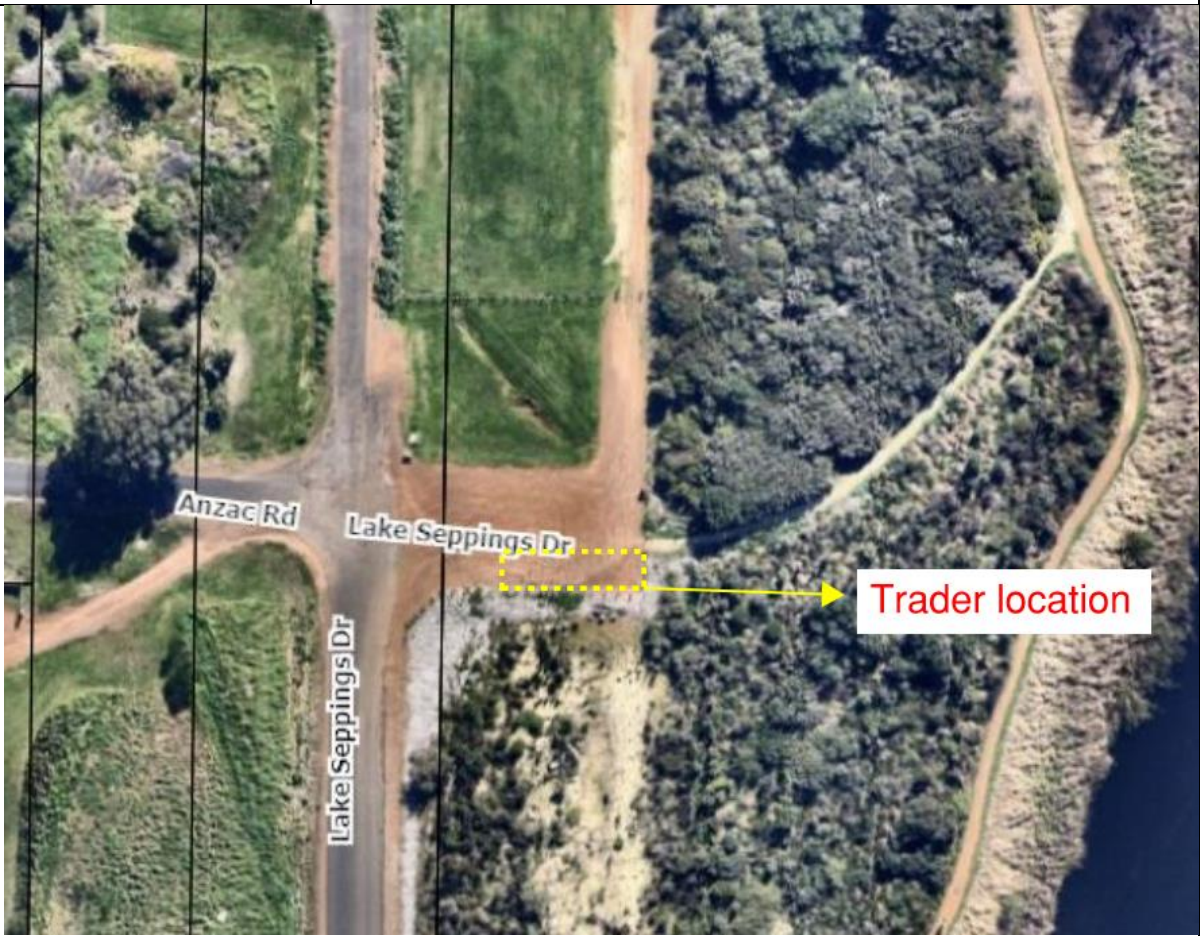
Chipana Drive Public Carpark	
Trading Term	2 Years
Desirability	B
Special Conditions	<p>(1) Traders to provide their own power, gas and water supply.</p> <p>(2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</p> <p>(3) Trading limited to between 7.00 am and 6.00 pm</p> <p>(4) Trader to park outside of area demarcated for vehicle and boat manoeuvring.</p> <p>(5) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</p> <p>(6) Trading term may be limited to 3 months initially to trial the fixed location.</p>



Lower King Road	
Trading Term	2 Years
Desirability	B
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (3) Trading limited to between 7.00 am and 8.00 pm (4) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours. (5) Trading term may be limited to 3 months initially to trial the fixed location.
	

Stirling Terrace East	
Trading Term	2 Years
Desirability	C
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Trading is limited to between 10:00 pm and 3:00 am on Friday and Saturday nights (inc. Sunday morning). (3) Trader to ensure queuing occurs on the footpath and not on the road. (4) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours. (5) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (6) Trading term may be limited to 3 months initially to trial the fixed location.



Mira Mar	
Trading Term	2 Years
Desirability	C
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Trading is limited to between 7.00 am and 6.00 pm. (3) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours. (4) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (5) Trading term may be limited to 3 months initially to trial the fixed location.
	

Sandpatch	
Trading Term	2 Years
Desirability	C
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (3) Trading limited to between 7.00 am and 6.00 pm (4) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.



Nanarup Beach	
Trading Term	2 Years
Desirability	C
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (3) Trading limited to between 7.00 am and 6.00 pm (4) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.



Goode Beach	
Trading Term	2 Years
Desirability	C
Special Conditions	<ul style="list-style-type: none"> (1) Traders to provide their own power, gas and water supply. (2) Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business. (3) Trading limited to between 7.00 am and 6.00 pm (4) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours. (5) Access track to the south is to remain unobstructed at all times.

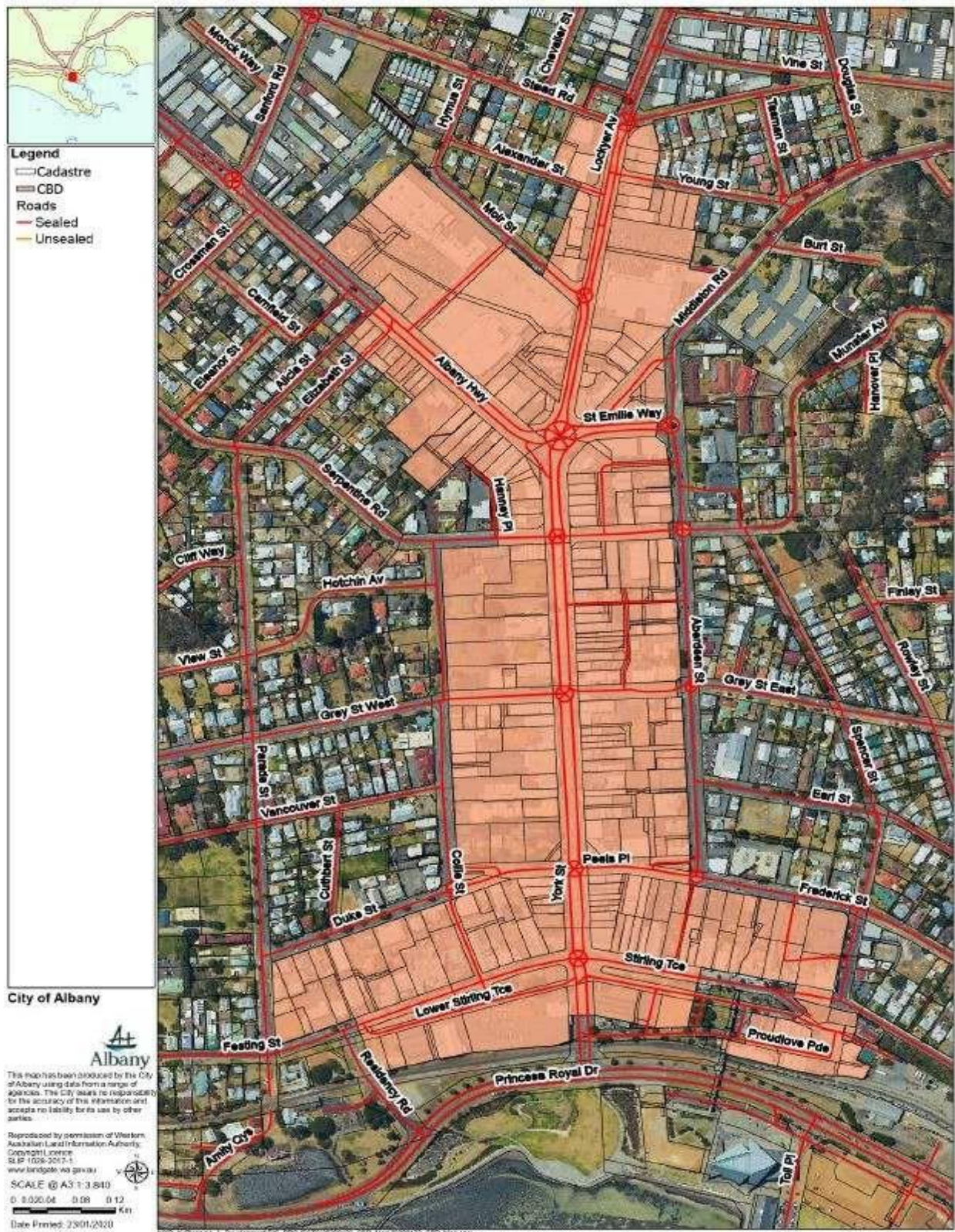


Annexure B: Fixed Trading Locations – Goods and/or Services (other than food)

Middleton Beach	
Trading Term	2 Years
Desirability	A
Special Conditions	<p>(1) Trading is limited to between 7.00 am and 6.00 pm.</p> <p>(2) No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</p> <p>(3) The trader is to ensure no more than 1.5 bays are occupied by the trader and associated/incidental materials at all times.</p> <p>(4) Trader shall ensure adjacent footpath remains unobstructed at all times (includes customers queuing or eating and towing vehicles).</p>



Annexure C: Albany CBD – Itinerant Traders Exclusion Zone



Version Control:

Description	Date
Adoption Reference: OCM 15/09/2009 Report Item 13.5.1	15/09/2009
Executive Director Planning & Development Services (EDPDS). Revised: Minor formatting only.	29/12/2010
Revision Reference: OCM 23/05/2017 Resolution CCCS028. Synergy Ref: NP1767036	20/06/2017
Adoption Reference: OCM 23/06/2020 Report Item DIS213.	23/06/2020
Additions for clarification in brackets Section B and E	27 /07/2020
Adoption Reference: OCM 28/05/2024. Report Item DIS392	5/06/2024
Revised / Reformatted	25/06/2024
Minor amendment: _Public liability insurance requirements listed under provision A: (15) increased from \$10 million to \$20 million to reflect the changing environment in this area and ensure consistency with other local governments. _Appended with Sanford Road trading site.	15/01/2025
Adoption Reference: OCM 01/07/2025 Resolution AR178 (Re-adopted)	14/07/2025