

Section 56C of the Vehicle and Traffic Act 1999**INFORMATION SHEET**

Council deals with all applications for permits to sell goods etc. in accordance with the requirements of Section 56C of the Vehicle and Traffic Act 1999.

- Applications must be submitted on the attached Application for a Roadside Vendor/Stall/Busking Permit on a Public Street Form. Where it is intended to sell/serve food, a food business – one off event Application Form must be submitted **in addition to** the attached application form. Compliance with the *Food Act 2003* and the Food Safety Standards are a requirement. Conditions may be placed on this permit.

For further information in relation to food business one off event applications please contact Council's Environmental Health Officer.

- If the one-off event food business application is approved, Council's environmental Health Officer will issue a Temporary Food Permit to that effect which will enable the Application for a Roadside Vendor/Stall/Busking Permit on a Public Street Form to be processed.
- Written consent is required from the adjacent property owner. It is the applicants responsibility to ensure the property owner completes **Section 4** (*Adjacent Property Owner*) of the application form. No stall is to be set up on any State Highway.
- Applicants must refer all permit applications to the Police Officer in charge of the local district for completion of **Section 5** (*Tasmanian Police*).
- In determining whether or not to grant an application for a permit the General Manager **MUST** have regard to relevant traffic conditions and the safety and convenience of the public, and **MAY** have regard to such other considerations as appear relevant in the circumstances.

PLEASE ALLOW FIVE (5) WORKING DAYS FOR PROCESSING OF THIS APPLICATION

Section 56C of the Vehicle and Traffic Act 1999

1. APPLICANTS DETAILS			
Name:			
Organisation Name (if applicable)			
Residential Address:			
Phone:		Email:	
Non-for-Profit Organisation or Incorporated Body		<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If you answered NO the scheduled fee needs to be submitted with the application</i>	
2. ACTIVITY DETAILS			
<i>(tick appropriate box)</i> <input type="checkbox"/> Stall/Stand <input type="checkbox"/> Vehicle <input type="checkbox"/> Trailer <input type="checkbox"/> Other			
Location of Stall/Activity:			
Details of activity to take place or goods to sell:			
Date/s of Proposed activity:		Time of operation for activity:	
3. ADJACENT PROPERTY OWNER NOTIFICATION (Where appropriate)			
Comments:			
Date:			
Property owners name:			
<i>I do not object to the proposed goods as detailed in Section 2 of this application from being vended by the applicant in Section 1.</i>			
Name:		Signed:	
4. TASMANIAN POLICE AUTHORISATION			
Conditions:			

Date:	
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I hereby consent that the details provided in Section 1,2 and 3 of this application can be considered the Waratah-Wynyard Council.

Name:		Signed:	
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5. TEMPORARY FOOD PERMIT

Do you intend to prepare/sell or provide food?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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If **YES** a separate **Application for notification of a food business – one off event** must be completed, see [Food Businesses - Waratah-Wynyard Council \(warwyn.tas.gov.au\)](http://warwyn.tas.gov.au)

6. UNDERTAKING

Iof
(Full name) (Address)

Hereby make application for a roadside vendor/stall permit on a public street for the dates and times specified and have received appropriate authorisation as per Section 3 and 4. I undertake to be bound by and comply with the Permit Terms and Conditions in every respect.

Dated this.....day of..... 20... ..
(Signature of Applicant)

Please allow Five (5) working days for processing of the application

Environmental Health Officer – Office Use only

Comments:	
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Temporary Food Premises Application:	Progressed <input type="checkbox"/>
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Comments:	
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Approved by Council Officer	Signature:	Date:
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Engineering Officer – Office Use only

Comments:	
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Approved by Council Officer:	Signature:	Date:
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Administrative Office Use only

Section 1 complete Yes <input type="checkbox"/>	Section 4 complete Yes <input type="checkbox"/>
Section 2 complete Yes <input type="checkbox"/>	Section 5 complete Yes <input type="checkbox"/>
Section 3 complete Yes <input type="checkbox"/> <i>(Complete is applicable)</i>	Section 6 complete Yes <input type="checkbox"/>
Permit Received Yes <input type="checkbox"/>	
Payment: - As per schedule (N/A for Non-profit organisations or Incorporated body)	
Date:	Receipt No:
Date completed form received	
Council Officer	Signature:

Section 56C Vehicle and Traffic Act 1999

Certain activities prohibited on public streets.

- 1 A person who does not have a permit to do so must not set up or use a stall, stand or vehicle on a public street for the purposes of –
 - a) selling any goods; or
 - b) a business, calling or employment.

Penalty: In the case of –

- (a) a first offence – a fine not exceeding 20 penalty units; or
- (b) a second or subsequent offence – a fine not exceeding 40 penalty units.

- 2 Permits for this section may be issued by the general manager of the council in which the public street is located (the "relevant council") and any person may apply in writing for such a permit.
- 3 In determining whether or not to grant an application for a permit, the general manager of the relevant council –
 - a) must consult the police officer in charge of the police district in which the public street is located; and
 - b) must have regard to relevant traffic conditions and the safety and convenience of the public; and
 - c) may have regard to such other considerations as appear relevant in the circumstances.
- 4 A permit –
 - (a) is to be in such form as the general manager issuing it determines; and
 - (b) must be issued only for a specific date or dates, or for a specific period not exceeding 12 months; and
 - (c) may be made subject to such conditions as the general manager issuing it considers necessary or expedient in the interests of public safety and convenience; and
 - (d) must specify the name of the permit holder and the date or period, and the public street, for which it is issued.
- 5 A permit –
 - (a) may be surrendered but is not capable of being amended, renewed or transferred; and
 - (b) may, by written notice to the permit holder, be cancelled by the general manager of the relevant council if he or she is satisfied on reasonable grounds that the permit holder has committed serious or repeated breaches of the permit conditions; and
 - (c) is not a defence to an action or indictment for nuisance.
- 6 The holder of a permit must –
 - (a) comply with its conditions; and
 - (b) immediately produce it to any police officer who demands to see it.

Penalty: Fine not exceeding 10 penalty units.