



HASTINGS
DISTRICT COUNCIL

Application for a Hawkers Licence

Environmental Health
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WHAT IS A HAWKER?

A hawker includes any person who carries or takes about any goods, wares, or merchandise, (which includes but is not limited to printed books, pamphlets or magazines) door to door for sale or hire not in pursuance of any invitation to call with, or of any previous order or request for such goods and includes any person who exposes for sale or hire any goods, wares or merchandise carried or taken about by him/ her, or solicits the custom of any other person but does not include any person who uses any vehicle as a mobile shop.

Hawkers may be granted a licence to sell products or services from a table or display of limited size in the area immediately around the water feature in Heretaunga Street.

GENERAL CONDITIONS OF HAWKERS LICENCES

The holders of Hawkers Licences are required to abide by the Hastings Consolidated Bylaw and any conditions set in their licence. Some standard conditions for Hawkets seeking to operate in the Hastings City Mall area are set out below; additional requirements may be set depending on the operation. Council can set conditions at any time. Failure to comply with the Bylaws or any conditions of a Hawkers Licence can result in the revoking of the Licence.

The sale of clothing, sunglasses, hats and leather goods except under special circumstances is not permitted in the Central Business District. This is to avoid conflict with existing retailers.

Situations where this rule may be relaxed are for example, crafts people making individually handcrafted items that are unavailable from shops in the Hastings Mall area. In these situations, it is up to the Hawker to demonstrate that the items for sale are not available from shops in the Mall area.

If conflicts do arise, Council considers it to be the responsibility of the Hawker to alter the goods for sale or to cease selling those products. This applies even in situations where the shop started selling the goods in dispute after the Hawkers Licence was granted.

The regular sale of food by Hawkets from a table in the Mall area is not permitted. A properly constructed stall is required to sell food. Besides meeting Health requirements the Stall Holder needs permission from the Council to occupy a site in the Mall, and is required to pay a site rental over and above the fee for a Stall Holders Licence.

HAWKERS SELLING FOOD

In addition to obtaining a Hawkers Licence, businesses¹ that sell food are required to register a Food Control Plan or National Programme (see below for further details). The Food Control Plan (FCP) or National Programme (NP) must be registered in the district the business is based in. Application forms to register a FCP or NP in the Hastings District are available on Council's website or can be found at the following link:

[Application for registration under the Food Act 2014](#)

¹ *The Food Act 2014 came into force on 1 March 2016. The Act applies to all new food businesses.

Food Control Plans

A food control plan sets out the steps a business making or selling higher-risk foods needs to take to make safe food. It is used to identify food safety risks, and to show how they're being managed. Further information on FCPs can be found at the following link:

<https://www.mpi.govt.nz/food-safety/food-act-2014/food-control-plans/>

National Programmes

A national programme is the way that lower-risk food businesses operate under the Food Act 2014. Further information on National Programmes can be found at the following link:

<http://www.mpi.govt.nz/food-safety/food-act-2014/national-programmes/>

Where does your business fit in the new food regime?

To help you find out what food safety measure your business needs to operate under, the Ministry of Primary Industries (MPI) have developed a "where do I fit tool?" at the following address:

<http://www.mpi.govt.nz/food-safety/food-act-2014/where-do-i-fit/>

Verification of Food Control Plan or National Programme

Your business will need to be verified (audited) when you first register it. For information on the frequency of subsequent verifications required for food businesses, please contact an Environmental Health Officer at the Hastings District Council.

Please note:

Currently Council is not providing a verification service for businesses on National Programmes. Therefore you will need to find a private auditor and arrange to have verifications from them. You will need to specify who your auditor is when you register your business. A link to the MPI Auditor Register is provided below.

<http://www.foodsafety.govt.nz/registers-lists/auditors/index.htm>

STANDARD CONDITIONS FOR HAWKERS OPERATING IN THE MALL AREA

1. That no obstruction or nuisance to pedestrians or vehicles results from the trading operation.
2. That the operation is limited to a table and/or rack, with a total surface area of one square metre and which is located within the clock tower area designated on the attached diagram.
3. That the seating in the mall must not be used in conjunction with the stall operation.

4. Where any conflict arises between a Hawker and a retailer in the Mall area selling similar goods, it will be the responsibility of the Hawker to cease selling the items in question. This condition applies even if the retailer was not selling the goods in question at the time the Hawkers Licence was granted.
5. Council reserves the right to set further conditions at any time.
6. That permission to operate in the Mall can be revoked at any time if, in the opinion of the Group Manager: Planning & Regulatory Services, a breach of these conditions or the Hastings District Council Consolidated Bylaw has occurred.

NOTES

- Depending on the type of operation, additional conditions may be imposed.
- Some of these conditions are also applied to Hawkers operating outside of the Mall Area.

HOW TO APPLY FOR A HAWKERS LICENCE

1. Return the attached application form, along with the fee, photographs and written character references to the Hastings District Council. The references should be from an employer, Justice of the Peace, Church Minister etc. The Passport sized photographs are required so that they can be attached to your licence. If more than one person will be operating the stall, references and photographs will need to be required for this person(s) as well.
2. The application will be processed and may either be refused or approved subject to conditions.
3. The Licence should be carried with the Hawker at all times.

Application for a Hawkers Licence

1. Applicant Details

Full name of applicant:

Date of Birth:

Mailing Address:

Suburb and City:

Home phone: Mobile Phone:

Email: Fax number:

2. Premises Details

Address of Premises:

Suburb and City:

Legal Description:

Property Owner:

Trading Name:

Business phone: Mobile Phone:

Email: Fax number:

3. Application Details

The Renewal / Expiry Date for Licences is the 30th of June every year.

I hereby apply to a Hawkers licence to sell:

.....

Applicant's Signature: Date:

7.	<p>Not Selling Food: the Hawkers Licence application fee is **\$104.00 (including GST).</p> <p>Selling Food – the Hawkers Licence application fee is **\$154.00 (including GST). Please note that in addition to obtaining a Hawkers Licence, businesses that sell food are required to register a Food Control Plan or National Programme. Please refer to the information “Hawkers selling food” above (on page 2).</p>	<input type="checkbox"/>
8.	Document Management Fee of **\$40.00 (including GST)	<input type="checkbox"/>

****Payment must be submitted with this application.**

****If paid On-line or by Internet Banking proof of payment must be submitted with this application.**