

WHAT IS A RETAIL MOTOR DEALER'S LICENCE?

The Department of Fair Trading requires those who wish to engage in the retail of motor vehicles to obtain a retail Motor Dealer's Licence. As part of this process, the local Council must be informed of the application and given the opportunity to comment on the proposal prior to a licensing application being considered by the Department of Fair Trading.

The retail motor dealer's activity is to be carried out in a building or a room or a number of rooms forming part of or ancillary to a dwelling-house in an attached dwelling where:-

- (a) the activity does not occupy a total floor area of more than 50 square metres;
- (b) the dwelling house or attached dwelling situated on the land is still principally used as a domicile;
- (c) the activity, occupation or industry does not:-
 - i) interfere with the amenity of the locality by reason of pollution; or
 - ii) require the provision of any essential service main of a greater capacity than that available in the locality; or
 - iii) involve the employment of persons other than residents of the dwelling house or dwelling; or
 - iv) result in a significant increase in traffic;
- (d) no vehicle to be exposed for sale through advertisements on the vehicle or at the premises. A vehicle may be inspected for purchase from the nominated premises so long as the vehicle is not on public view;
- (e) no advertisements are displayed at the nominated property or the nominated address used in any advertisement advising of vehicles for sale;
- (f) no more than one (1) vehicle for sale stored on the property at any one time and this vehicle is to be located in such a position so as not to be visible from the relevant street;
- (g) no repairs or detailing to the vehicles to be conducted on the site.

IS APPROVAL FROM COUNCIL REQUIRED?

If the proposed activity complies with the definition requirements listed above, no planning consent is required. However, you are required to submit to Council in writing your intention to operate as a Retail Motor Dealer and provide relevant details to demonstrate compliance with the specific definition.

Is a Retail Motor Dealer permitted in your zone?

In all rural and residential zones except residential 2(e), and 3(a) and 3(b) business zones in the Shire. Refer to BHLEP 2005 to confirm permissibility.

How do I obtain a retail motor dealer licence?

Check if you comply with the retail motor dealer's activity definition points (a) – (g) detailed above. If any building works are proposed, a Development Application may be required. You are advised to contact Council's Duty Building Surveyor to discuss any proposed building works.

If you do not meet the requirements, Council will raise objection to the issue of a retail motor dealer's licence at the premises by the Department of Fair Trading.

Is it necessary to discuss the application with a Council officer?

If you are unclear as to whether your business complies with the retail motor dealers licence requirements you should contact the Duty Town Planner to seek further advice.

Am I ready to apply for a retail Motor Dealer's Licence?

Your intention to operate a Retail Motor Dealer must be signed by ALL owners of the subject site. Write a letter into Council with your intention to operate a Retail Motor Dealer. You are required to provide details of how your proposal will satisfy ALL the requirements outlined in the Retail Motor Dealer definition. This includes a site plan and floor plan indicating where your Motor Dealer will be operating and where vehicles will be stored.

FEES

You are required to submit a \$125 fee with your motor dealer enquiry letter.

Further Information

If you are unsure, please ask- Time spent early may avoid delays later
Customer Service Centre: 129 Showground Road, Castle Hill NSW 2154
Phone: 9843 0555
Duty Town Planner: 9843 0469
Hours: 8:30 am to 4:30 pm, Monday to Friday
Website: www.thehills.nsw.gov.au

DISCLAIMER

This fact sheet provides a summary of the major issues concerning retailer motor dealer's licence. Any person using this document must do so on the basis that not every scenario and issue can be addressed, and discussion with relevant staff at Council's Customer Service Centre should be undertaken. This document is subject to change without notice.