

Sale of goods on council controlled land application



Postal Address

PO Box 159
Caboolture QLD 4510

Health and Environment

Ph: 07 3205 0555
Fax: 07 3205 0599

Internet

www.moretonbay.qld.gov.au
mbrc@moretonbay.qld.gov.au

Fees listed are applicable 1 July 2011 – 30 June 2012

ABN: 92 967 232 136

Applicant details:

Business/trading name:

Contact person:

Postal address:

Daytime contact number:

Location information:

Location where goods to be sold:

Type of goods to be sold:

Day/s of operation:

Supporting information required to be submitted with this application:

- Application fee of \$310.00
- Evidence of a current public liability insurance policy to the value of \$20,000,000 together with the attached indemnity in council's favour executed by the applicant
- A plan/s identifying the area/s where the temporary business site is to be established
- If the temporary business site is to consist of a stall or stand – details of the materials and equipment to be used to construct the stand or stall together with dimensions of the area to be occupied by the stall or stand
- If the temporary business site is to be a standing vehicle – details of the make, model, vehicle type (e.g. station wagon, van), registration number, gross vehicle weight and length of the vehicle; - a copy of the vehicle registration and photograph(s) of the nominated vehicle
- If the temporary business site is to be established on a State-controlled road - advice in writing from the Department of Main Roads that it agrees to the proposal
- If food is to be offered for sale from the temporary business site - a copy of the licence required under the *Food Act 2006* for the storing, handling, serving or supplying of the food for sale from the site.

Customer summary:

I acknowledge the information provided in this application is, to my knowledge not false or misleading.

Signature: Date:

Office use only

CSO: _____ Licence number: _____

Receipt number: _____ Amount: _____ Date: _____

Privacy statement

Moreton Bay Regional Council is collecting your personal information for the purpose of assessing your application for sale of goods on local government controlled areas and roads. The collection of this information is authorised under the Local Government Act 2009. Your information will not be given to any other person or agency unless you have given us permission or we are required by law.

Indemnity – for approvals granted under a Moreton Bay Regional Council Local Law:

This form must be completed and submitted with your application.

In consideration of Moreton Bay Regional Council ("council"), giving approval for:

(Name of activity to which the approval relates) ("the Activity")

At;

(Address/area where the activity is to be undertaken)

I/We;

(Applicant)

1. Agree to indemnify council and keep it indemnified against any claim, demand, action, suit or proceeding that may be made or brought against council, its employees, contractors and elected members for personal injury to or death of any person or loss of or damage to any property caused by, arising out of or as a consequence of the Activity;

2. Acknowledge that council has not made any claim, statement or inference with regard to the suitability of the facility or land for the Activity and I/we have satisfied my/ourselves in this regard.

Name of applicant:

Signature: Date:

Name of applicant:

Signature: Date:

Privacy statement

Moreton Bay Regional Council is collecting the personal information contained within this indemnity for the purpose of indemnifying council for approvals granted under a Moreton Bay Regional Council Local Law. The collection of this information is authorised under the Local Government Act 2009. Your information will not be given to any other person or agency unless you have given us permission or we are required by law.

All approvals will be subject to the following conditions:

- The applicant must acquire and maintain public liability insurance to the value of \$20,000,000 with council noted as an interested party.
- The public liability insurance policy, or a certificate of its currency, referred to in the above-mentioned paragraph must be submitted to the local government prior to carrying out of the activity; and
- The approval holder must indemnify and keep indemnified the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the an approval ; and
- If the approval holder or their employee or their agent damages the road, or any public infrastructure within the road or on a local government controlled area, it must –
 - take immediate steps to make the area safe and maintain the area in a safe condition until all necessary repairs are effected
 - report all damage to the local government
 - provide payment to the local government to have all damage rectified
- If the approval holder abandons the temporary business site or the approval is cancelled; the approval holder must take immediate steps to remove any vehicle or structure associated with the business and reinstate the site to a condition which satisfies the local government.
- A temporary business site must be kept clean and tidy at all times and, upon receipt of a notice from the local government to steam-clean the site within a specified period, because of the operator's regular or frequent use of the site, the operator must comply with the notice; and
- The approval holder must comply with the approved time and dates of operation and the location of temporary business site stated on the approval
- That the temporary business site must not be established within 500 metres of any existing
 - commercial premises, shopping centre or another roadside vending stall selling the same or similar goods; or
 - a school; or
 - a public swimming or recreational facility or ground where sport is played and the same or similar goods are sold as part of that facility; or
 - a place where a fete or market is operating unless the temporary business stall is part of the fete or market.
- The stall must enable reasonable pedestrian movement along the footpath and that a minimum clear pedestrian way width of 2.0 metres is to be maintained at all times on the footpath; unless specified otherwise in the conditions of the approval; and
- If established on a footpath, must not be sited in a manner that requires pedestrians using the footpath to move out from under a shop awning over the footway; and
 - must not obstruct access to property; and
 - must not interfere with the movement or line of sight of vehicular and pedestrian traffic; and
- All goods, equipment, materials and rubbish must be removed from the temporary business site each day at the close of business; and
- The operator must not cause or permit any amplified music or other noise associated with the operation of the operator's temporary business site to be emitted so as to be a nuisance; and any such music or other noise is a nuisance if, at any time, the adjusted average noise level emitted from the temporary business site exceeds 60db(A), measured at any affected place (see *Environmental Protection (Noise) Policy, 2008*); and
- Flammable liquids, poisons or other dangerous goods must not be displayed or stored in, or on, a temporary business site; and
- Any umbrella has been approved to be used in association with a stall or stand must have a minimum clearance above the footpath of 2.2 metres measured perpendicular from the lowest point of the extended arms (spokes) of the umbrella, and the umbrella is securely anchored, and must be removed in times of high wind or as directed by an authorised person; and
- The approved signage associated with the operation of a temporary business site must be contained wholly within the site; and that the placement of signage must not obstruct pedestrians or other traffic; and
- The approval holder must comply with any other conditions that the local government considers as necessary.