



Moreton Bay Pop Ups - Permitted Business in a Public Place Application



Postal Address
PO Box 159
Caboolture QLD 4510

Customer Response Department
Ph: 07 3205 0555

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

Fees listed are applicable 1 July 2021 – 30 June 2022

ABN: 92 967 232 136

1. Applicant details:

- If applicant is an Individual - complete Section A
- If applicant is a company - complete Section B
- If application is an Incorporated Association - complete Section B

Section A - Individual application

First name: Surname:

Address (not a PO Box):

ABN (if applicable):

Postal address:

Email address:

Home number: Mobile phone: Work phone:

Section B - Company or Incorporated Association application

Legal name:

ABN: ACN:

Email address:

Address (not a PO Box):
Companies - registered address
Incorporated associations - nominated address as registered with ASIC

Postal address:

Contact person name:

Business number: Mobile phone: Work phone:

Email address:

2. Activity details:

Name of proposed permitted business:

Type of business services proposed:

Note: Vendors are prohibited from selling food and drinks.

Number of people expected to attend:

Type of equipment (e.g. canoe/bikes) that will be brought on site.

- Are these items removed at the end of each day?
- Yes
 - No

How is parking managed for your activity?

What structures do you plan to bring on site? Please include details on your site map.

How is waste managed for your activity?

Is vehicle access required for your activity? If yes, please provide details.

Will PA systems and/or amplified sound be part of your activity? If yes, please provide details.

What toilet arrangements do you have in place for your activity? Please provide details.

3. Conditions for a Prescribed Activity:

Schedule A

Standard Conditions

- (a) the approval holder must comply with specified safety requirements; and
- (b) the approval holder must ensure that the activity does not jeopardise the safety of or unduly interfere with the usual use of the road/area by both vehicular and pedestrian traffic; and
- (c) if the approval holder or the holder's employee or agent damages the road, or any public infrastructure within the road or a Moreton Bay Regional Council controlled area, it must –
 - (i) take immediate steps to make the area safe and maintain the area in a safe condition until all necessary repairs are affected; and
 - (ii) report the damage to the Moreton Bay Regional Council; and
 - (iii) pay to Moreton Bay Regional Council the amount it would cost for Moreton Bay Regional Council to have all damage rectified or with Moreton Bay Regional Council approval carry out repairs at its own expense to the satisfaction of Moreton Bay Regional Council; and
- (d) the approval holder must comply with the hours of operation and dates specified in the approval; and
- (e) the event/activity must be conducted at the location specified in the approval.

Schedule B

Additional Conditions

- (a) the approval holder may be required to indemnify the State for particular activities relating to the road; and
- (b) the approval holder may be required to provide facilities and amenities for the event/activity as specified in the approval; and
- (c) exhibit specified warning notices and to take other specified precautions for the safety of users of the road or area as stated in the approval; and
- (d) take pollution reduction or control measures as specified by the local government, including that specified limits for emissions are not exceeded; and
- (e) provide appropriate waste receptacles and ensure that all waste generated by the event/activity is collected and disposed of in accordance with the requirements stated in the approval; and
- (f) ensure that any signs displayed in relation to the event/activity are installed in accordance with *Moreton Bay Regional Council Subordinate Local Law No.1 (Administration) 2011 – Schedule 9 Installation of advertising devices*; and
- (g) maintain and clean all public rooms, amenities and facilities associated with the approval for the public place activity or event; and

- (h) in accordance with section 5(1)(c) above, the Moreton Bay Regional Council may allow the approval holder to carry out rectification works at their expense for damage caused to the road or any public infrastructure if this is appropriate in the circumstances.

Schedule C

Specific Conditions - additional conditions may be added after the application has been assessed

- (a) the approval holder must not undertake the approved activity in a way that contravenes a Public Health Direction given by the Chief Health Officer, under section 362B of the Public Health Act 2005, to assist in containing, or to respond to, the spread of COVID-19 in the community; and
- (b) the approval holder must provide evidence of a current Public Liability Insurance Policy to the value of \$20,000,000; and
- (c) special mowing or additional servicing of the area is not provided. Council maintains its parks and gardens on a routine maintenance schedule; and
- (d) to ensure safety of the general public and to avoid potential damage to the park surfaces, no vehicles may drive or park on grassed areas unless approved as part of this application. All vehicles onsite must be parked lawfully; and
- (e) electricity access is not provided unless approved as part of this application; and
- (f) water access is not provided unless approved as part of this application; and
- (g) a portable PA system may be used; however please take into consideration the volume and the type of music played. The approval holder must ensure that noise complies with the requirements for open-air events prescribed in section 440X of the Environmental Protection Act 1994. This means that you must not use, or permit the use of, the premises for an open-air event on any day -
- Before 7.00am, if the use causes audible noise; or
 - From 7.00am - 10.00pm, if the use causes noise of more than 70 dB(A); or
 - From 10.00pm - midnight, if the use causes noise of more than the lesser of the following -
 - o 50 dB(A);
 - o 10 dB(A) above the background level; and
- (h) any noise associated with the operation of the operator's temporary business site that, in an Authorised Officer's opinion is a nuisance, is not permitted; and
- (i) the insertion of stakes or pegs into the surface is not permitted. All temporary structures must be self-supporting and weighted down; and
- (j) fireworks are not permitted; and
- (k) alcohol is not permitted to be consumed in public parks in accordance with Queensland State Law; and
- (l) pathways and walkways must not be obstructed to ensure the safe passage of the general public during the activity; and
- (m) all goods, equipment, materials and rubbish must be removed from the temporary business site each day at the end of the approved time; and
- (n) the approval holder must keep the temporary business site in a clean and tidy condition and must comply with notices from Council to clean the site within the time specified within the notice; and
- (o) the approval holder must maintain a pedestrian way width of 2.0 metres on the footpath, unless specified otherwise in the conditions of the approval; and
- (p) if activity is established on a footpath, the activity 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
- (q) the activity must not obstruct access to property; and
- (r) the activity must not interfere with the movement or line of sight of vehicular and pedestrian traffic; and
- (s) approved signage for the temporary business site must be contained wholly within the approved area, and the placement of signage must not obstruct pedestrians or other traffic. Signage is limited to one (1) A-frame sign or similar and the area of the sign must not exceed 1.2m²; and

- (t) goods stored or transported within Council controlled areas in accordance with the approval must be done so with regard to public safety; and
- (u) Council reserves the right to prevent access to Council controlled areas and roads without notice for any reasonable reason. Compensation is not payable to any permit holder that may suffer loss as a result of such action by Council; and

For conditions identified in the Redcliffe Foreshore Master Plan please refer to: [Redcliffe Foreshore Masterplan & Activation Strategy \(moretonbay.qld.gov.au\)](#)

For sites identified in the Redcliffe Foreshore Master Plan please refer to: [moreton-bay-pop-ups-guideline.pdf \(moretonbay.qld.gov.au\)](#)

4. Checklist for application:

- Payment of Non-refundable Application Fee of \$183.00 - this fee will be invoiced (the Moreton Bay Pop Ups program is a pilot trial program as part of the Public Lands Activation Strategy and Redcliffe Foreshore Master Plan)
- Renewal Approval fee of \$61.00. The annual renewal period is 01 October - 30 September. A Renewal Notice will issue annually in September. (Renewal Approval fee to be paid in conjunction with Annual Commercial fee.)
- Evidence of a current Public Liability Insurance Policy to the value of \$20,000,000
- Completed Indemnity section (page 5 of this Application Form)
- Site Plan including dimensions
- Completed Risk Management Plan
- Details of all third-party Operators
- Confirm I have read and understood Schedule A, B and C conditions

5. Declaration of applicant:

I acknowledge the information provided in this application is, to my knowledge true and correct.

Signature: Date:

Privacy Statement

Moreton Bay Regional Council is collecting your personal information for the purpose of assessing your application for the operation of a Public Place Activity. Council will use your personal information to update Council's customer information records and may contact you about other functions and services of Council.

6. Indemnity for Approvals granted under a Moreton Bay Regional Council Local Law:

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)

l;

(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 have satisfied myself in this regard.

Name of Applicant:

Signature: Date:

7. Payment options:

On receipt of application an invoice will be generated and sent to you. The following payment options will be available:



Pay by Web

Visit Council's website:
www.moretonbay.qld.gov.au



BPAY

Contact your participating financial institution to make payment from your account.



In Person

Payment can be made in person at Caboolture, Redcliffe and Strathpine Offices.



Mail

Moreton Bay Regional Council
PO Box 159
Caboolture QLD 4510



Pay by Phone

Call (07)3480 6346