



Moreton Bay Pop Ups - Sale of Goods 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. Goods details:

Type of goods to be sold:

Note: Food Truck vendors to provide a copy of their menu

3. Vehicle details (Food truck only - a copy of the registration certificate and photographs must be provided with this application)

Vehicle make/model: Vehicle type:
Vehicle weight/length: Registration number:

4. Stall details:

Details of equipment that will be set up for the sale of goods on Council controlled land (eg gazebo, umbrella).

Contact name and number while operating:

5. Conditions for Sale of Goods:

Schedule A

Standard Conditions

- (a) the approval holder must maintain a public liability insurance policy to the value of \$20,000,000; and
- (b) 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 approval; and
- (c) 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 –
 - (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 all damage to the local government; and
 - (iii) provide payment to the local government to have all damage rectified or with the local government's prior approval carry out repairs at its own expense to the satisfaction of the local government; and
- (d) 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; and
- (e) the approval holder must keep the temporary business site in a clean and tidy condition and must comply with notices from the local government to steam clean the site within the time specified within the notice; and
- (f) the approval holder must comply with the operating hours and dates of operation, and location of the temporary business site specified on the approval; and
 - (i) All temporary business sites other than those identified in the Redcliffe Foreshore Master Plan must not be established within 500 metres of existing -
 - (a) commercial premises, a shopping centre or another roadside vending stall selling the same or similar goods; or
 - (b) a school; or
 - (c) a public swimming or recreational facility or ground where sport is played, and the same or similar goods are sold at that facility; or
 - (d) a place where a fete or market is operating unless the temporary business stall is part of the fete or market; and
 - (ii) must maintain a pedestrian way width of 2.0 metres on the footpath, unless specified otherwise in the conditions of the approval; and
 - (iii) 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
 - (iv) must not obstruct access to property; and
 - (v) must not interfere with the movement or line of sight of vehicular and pedestrian traffic; and
- (g) all goods, equipment, materials and rubbish must be removed from the temporary business site each day at the close of business; and
- (h) 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
- (i) flammable liquids, poisons or other dangerous goods must not be displayed or stored in, or on, a temporary business site; and
- (j) any umbrella approved to be used 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 to be securely anchored, and must be removed in times of high wind or as directed by an authorised person; and

- (k) approved signage for the temporary business site must be contained wholly within the site, and the placement of signage must not obstruct pedestrians or other traffic; and
- (l) the approval holder must comply with any other conditions that the local government considers necessary.

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 \(moretonbay.qld.gov.au\)](#)

Schedule B

Additional Conditions

- (a) the area immediately adjacent to the business is to be kept clean at all times by the approval holder; and
- (b) the approval holder is responsible for the provision of adequate and appropriate refuse containers for patron use, and the proper disposal of wastes generated by the business; and
- (c) local government footpath waste receptacles are not to be used by the business for waste disposal; and
- (d) no liquid wastes are to be discharged onto the road, footpath or street drainage system; and
- (e) in accordance with section 5(1)(d) the local government 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) special mowing or additional servicing of the area is not provided. Council maintains its parks and gardens on a routine maintenance schedule; and
- (c) 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
- (d) electricity access is not provided unless approved as part of this application; and
- (e) water access is not provided unless approved as part of this application; and
- (f) the insertion of stakes or pegs into the surface is not permitted. All temporary structures must be self-supporting and weighted down; and
- (g) fireworks are not permitted; and
- (h) alcohol is not permitted to be consumed in public parks in accordance with Queensland State Law; and
- (i) pathways and walkways must not be obstructed to ensure the safe passage of the general public during the activity; and
- (j) 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
- (k) 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
- (l) the activity must not obstruct access to property; and
- (m) the activity must not interfere with the movement or line of sight of vehicular and pedestrian traffic; and
- (n) the approval holder/operator must familiarise themselves with the conditions for the program as identified in the Moreton Bay Pop Ups Guideline on Council website; and

- (o) the approval holder/operator must familiarise themselves with the 'site specific conditions' as displayed on the site plans for each Moreton Bay Pop Ups location on the Council website to ensure that conditions are followed

6. 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 4 of this Application Form)
- Food Truck Operators - copy of registration details and photographs of vehicle
- Food Truck Operators - copy of the licence required under the Food Act 2006 for the storing, handling, serving or supplying of the food for sale plan/s identifying the area/s where the temporary business site is to be established
- Food Truck Operators - copy of menu showing food and drink offerings;
- Activity Vendor - a detailed diagram of the stall set up and plan/s identifying the area/s where the temporary business site is to be established
- Other relevant Local, State and Federal licence/registrations/approval requirements eg Blue Card, Marine Park Permit applicable to your proposed operation etc
- Confirm I have read and understood Schedule A, B and C conditions

7. 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.

8. 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)

I;

(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:

9. 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 inperson at Caboolture, Redcliffe and Strathpine Offices.



Mail

Moreton Bay Regional Council
PO Box 159
Caboolture QLD 4510



Pay by Phone

Call (07)3480 6346