



CAIRNS REGIONAL COUNCIL

THE CHIEF EXECUTIVE OFFICER
CAIRNS REGIONAL COUNCIL
PO BOX 359
CAIRNS QLD 4870

OFFICE USE ONLY

File No.

Fee.....Date.....

Receipt No.

Receipt Code for \$240.00 T317

**APPLICATION FOR
APPROVAL TO DISPLAY OR
ADVERTISE GOODS FOR
SALE ON A ROAD OR LAND
UNDER THE CONTROL OF
THE COUNCIL**

LOCAL LAW NO. 22 (ACTIVITIES ON ROADS)
LOCAL GOVERNMENT ACT 1993

A. Applicant Details (to be completed by the owner of the business associated with the activity) – Please use BLOCK Letters

Title Mr Mrs Ms Miss Other (specify) _____

Family Name: _____

Given Names: _____

Company/Partnership/Sole Trader Name (including ACN, Business Name and Number, and ABN, as appropriate):

Postal Address: _____

Locality/Suburb: _____

State: _____ Postcode: _____

Business Ph: _____ Business Fax: _____

Home Ph: _____ Mobile: _____

B. Proposed Activity:

Please identify the nature of the activity:-

C. Type of Approval

New

Renewal (Please provide permit number from existing approval)_____

D. Existing Approvals

Have any approvals been provided by Council or another department, agency or body pursuant to another law (for example, the *Liquor Act 1992* or the *Food Hygiene Regulation 1989*)?

Yes, please attached any approvals

No

E. Proposed location of activity:

Street Address: _____

Real Property Description: Lot _____ RP _____

Parish: _____ County: _____

F. Description of Proposed Activity:

1. Proposed display: _____

Dimensions of display area (width & length): _____

2. A site plan to a scale of approximately 1:100 should be attached which extends:
- (a) from the kerb's edge, the full width of the footpath, to the frontage of the building; and
 - (b) from within 2 metres of one adjoining premises, the full length of the property frontage, to within 2 metres beyond the other adjoining premises,

and shows:-

- the boundaries of the site, the outline of buildings, and the use of adjoining buildings;
- the area (including dimensions) intended to be used for displaying goods (shown in red) and the location of all proposed displays; and
- any trees, fire hydrants, transformers, telephone booths, mail boxes, bus seats and shelters, traffic signal boxes, fixed rubbish bins, pillars and posts (supporting signs or other objects) and other obstructions.

3. The following should be attached to the application:-

- (a) a colour photograph of the site frontage and proposed area to be used; and
- (b) a photograph (or brochure) detailing displays or goods intended to be placed on the footpath.

4. Are you intending to use any promotional or advertising material in connection with the display?

Yes, please provide details below.

No

5. Please indicate below the maximum length of time for which the display would be in place.

Example:-

The trading hours of a business might be 9:00am to 5:00pm, Monday to Friday and it is intended that the display will be placed on the footpath during those hours of operation.

G. Consent of the Department of Main Roads for activities or works carried out on State-controlled roads

Is the display to be exhibited on a State-controlled road?

- Yes, the consent of the Department of Main Roads must be attached to this application form. (Main Roads can be contacted on telephone (07) 4050 5444)
- No

H. Prescribed Fee

Have you attached Council's prescribed fee of \$240.00?

- Yes No

I. Further Information

You should address the relevant criteria contained in Section 10 of Local Law No. 22 (Activities on Roads). [For example, the attached site plan should demonstrate that the activity will not obstruct access from the footway to kerbside parking or pedestrian access.]

Information attached?

- Yes No

J. Further Requirements

1. You **must** enclose a copy of a public liability insurance policy which nominates Cairns Regional Council, the Minister administering The Land Act 1994 and the State of Queensland as insured parties with this application – minimum value of \$10,000,000.
2. Council may require you to provide further information, documents or materials in support of the application.

K. Offence

It is an offence to make a statement on this application which you know to be false or misleading.

I/We declare that I/we have read Items I, J and K above and that the information and details contained in and attached to this application are true and correct to the best of my/our knowledge:

Signature(s) of Applicant(s):

Date: _____

Note: If the operator is a company the execution of this document must be in accordance with the Corporations Law.

Signature of Owner of premises agreeing to the application and or construction of awnings on the footpath in front of the premises:

Signature(s) of Owner(s):

Date: _____

NOTES

1. This application must be signed by the applicant/s, either personally or in the case of a partnership, by one of the partners, or in the case of a body corporate or an unincorporated association, by an authorised officer.
2. Applications can be lodged at the Customer Service Centre located at 119-145 Spence Street, Cairns.
3. All applications must be accompanied by the prescribed application fee, as set out by the Cairns Regional Council from time to time. The application fee is non-refundable.
4. Cheques should be made payable to Cairns Regional Council.
5. Use of part of the footway for display purposes will only be considered where that use is directly in association with an adjacent lawfully established business outlet.
6. All premises will be required to be licensed and registered as a place of business.
7. Permits may be transferred in the case of a change of proprietorship, however an application for transfer of the Food Hygiene Registration must be lodged concurrently and all fees if any must be paid.
8. The proposal should comply with the objects of the Local Law No. 22 (Activities on Roads) and any subordinate Local Law.
9. Unless revoked earlier, a permit shall remain in force for a period of one (1) calendar year.
10. A permit may be revoked at any time, when in the opinion of the Environmental Assessment Section, the conditions applying to the permit have not been satisfactorily met or have been breached.
11. The footpath must be sealed and improvements may have to be made to the subject footpath by the applicant at his/her expense where the surface of the footpath in the area proposed on the permit is damaged, cracked or deteriorated, or unsuitable for the safe display of any good or thing.
12. Permits will only be issued over areas of footpath to dedicated roads in Cairns and then only where the footpath is sufficiently wide so as to allow an area for a display whilst maintaining a clear passage.
13. This application must be accompanied by a copy of public liability insurance policy taken out by the applicant to the minimum value of ten million dollars, and must include the Cairns Regional Council, the Minister administering The Land Act 1994 and the State of Queensland, as an interested party.
14. If this application is for the use of a footpath on a declared main road, it must be accompanied by a letter from the Queensland Department of Main Roads indicating approval in principle of the proposal. This can be obtained by writing to the Queensland Department of Main Roads, PO Box 6185, Cairns. Further enquiries should be directed to the Department of Transport office, 96 Abbott Street, Cairns, telephone 4050 5444.

APPROVAL OF PRESCRIBED FORMS

The preceding form, bearing my initials, is approved as a prescribed form for use with Local Law No. 22 (Activities on Roads), pursuant to Local Law No. 1 (Administration).

Peter Tabulo
Acting Chief Executive Officer
Cairns Regional Council

Dated: _____