



CASSOWARY COAST REGIONAL COUNCIL

PO Box 887

INNISFAIL QLD 4860

Ph: 1300 763 903

Email: enquiries@cassowarycoast.qld.gov.au

Approved Form 4.8 General Activity (Footpath Dining)

Applicable Law:

Cassowary Coast Regional Council Local Law No. 1 (Administration) 2022

Cassowary Coast Regional Council Local Law No. 4 (Local Government Controlled Areas and Roads) 2022

Cassowary Coast Regional Council Subordinate Local Law No. 4 (Local Government Controlled Areas and Roads) 2022

Your application will not be properly made unless the Approved Form 1.7: Application to Council (What I Want) is attached.

Note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all Cassowary Coast Regional Council application forms is correct. Any approval that may be issued as a consequence of this application will be issued to the applicant.

Property site plans:

Site plans:



Please attach a detailed site plan showing a layout of the activity including:

- Property address (street address or Lot on Plan) with road names adjacent to the area
- Indicate on the plan exactly where the activities will occur
- Pedestrian walkways, entry and exit points
- Designate the area you would like to use

Footpath dining activity details:

Dimensions and m2:

Provide details of length, width and m2 of Council controlled land that you wish to use:

Max number of customers expected to use the footpath for dining: (at any one time)

What furniture and/or equipment do you intend to use on the footpath?

Provide a detailed description and attach a plan showing where any furniture/equipment is to be used & the quantity of each.

Will alcohol be sold?

☐ Yes ☐ No

If alcohol is sold a Liquor Licence is required from the Queensland Government.
<https://www.business.qld.gov.au/industries/hospitality-tourism-sport/liquor-gaming>

Will BYO alcohol be allowed?

☐ Yes ☐ No

Public liability insurance:

Does the applicant have insurance for the activity?



☐ Yes – Please attach copy of your policy of insurance to the value of at least \$20,000,000 noting Cassowary Coast Regional Council as an interested party.

☐ No – application cannot be assessed

Checklist:

Please check that you have attached copies of the relevant information to this form:

- ☐ Approved Form 1.7: Application to Council (What I Want)
- ☐ Detailed site plan
- ☐ Public liability insurance

Declaration:

I/ We declare that the information provided by me in this application is true and correct and I consent to the making of enquiries and exchange of information with authorities of any Local, State/Territory or Commonwealth department in regards to any matters relevant to this application:

Print name:

Signature:

Date:

Application Fee:

Please refer to "Regulatory Services - Schedule of fees and charges for permits and licences" on Council's website.

Payment Options

Please note that payment can only be made after the application is received and processed by Council

BPay:

☐ Please tick if you would like an invoice to be emailed so you can pay by BPay

In person:

☐ Payment by EFTPOS at Customer Service Centres

Via phone:

☐ Please tick if you would like to pay by credit card, and an officer will call you to take payment

Please return your completed application via one of:

By email: enquiries@cassowarycoast.qld.gov.au

By post: Cassowary Coast Regional Council, PO Box 887, Innisfail QLD 4860

In person: For Customer Service locations and office hours, visit: [Contact Council | Cassowary Coast Regional Council](#) or phone 1300 763 903

Cassowary Coast Regional Council – Information Privacy Statement

Cassowary Coast Regional Council is collecting your personal information in accordance with the *Information Privacy Act 2009 (QLD)*, and other applicable laws. Your information is being collected for the purpose of processing your application and/or responding to your enquiry. It may be used by authorised Council officers and disclosed to other agencies or third parties where required or permitted by law. Providing this information is voluntary; however, if you do not supply the requested information, Council may be unable to provide the requested service. You have the right to access and amend your personal information held by Council, subject to legal constraints. For more information, please view Council's Privacy Policy on Council's website www.cassowarycoast.qld.gov.au

Criteria for assessment of application

General criteria under Local Law No. 1 (Administration) 2022

Council must assess your application against the general criteria:

1. that you currently hold any separate approval relating to the activity that is required under another law, including proof of any conditions, plans or limitations that attach to the approval;
2. that the management of the activity will protect public health, safety and amenity and prevent environmental harm;
3. identify best practice management for the proposed activity;
4. if the activity is to be conducted on trust land, say why the activity is consistent with the purpose of the trust;
5. how the activity will benefit the good rule and governance of the Cassowary Coast;
6. how the activity will not be detrimental to the good rule and governance of the Cassowary Coast;
7. whether you have been convicted of a breach of a local law within the last three years; and
8. whether an approval for the same or similar activity was given under the repealed local laws.

Additional criteria under Local Law No. 4 (Local Government Controlled Areas and Roads) 2022

Council must assess your application against the additional criteria that apply to this activity specifically:

9. that the proposed activity would not adversely affect the amenity of the area (including the established amenity in the neighbourhood), road or the environment;
10. that the proposed activity would not unduly interfere with the usual use and enjoyment of the area or road;
11. that the proposed activity can be lawfully conducted on the area or road. This may include the provision of copies of any relevant permits or approvals to Council;
12. whether the proposed activity would be able to be conducted consistent with relevant environmental, health and safety standards;
13. whether the proposed activity would be able to be operated in accordance with best practice management for the activity;
14. whether the proposed activity complies with the Council's planning scheme;
15. that the proposed activity would not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood;
16. that the proposed activity would not adversely affect existing services located in, on or over an area or road;
17. that the proposed activity is appropriate having regard to any current permits issued, or application for permits, under this local law for the site including the number of permits, their duration and the nature of any approved activity;
18. that the proposed activity is appropriate having regard to the frequency at which the activity is proposed to be conducted on the site;
19. that the number of customers proposed to be taken to the site at any one time is appropriate for the local government area or road;
20. that the proposed activity is appropriate having regard to the total number of customers proposed to be taken to the site;
21. that the proposed activity is appropriate having regard to the impact of the activity on other users of the site;
22. that the proposed activity is appropriate having regard to the adequacy of any amenities or facilities considered by the local government to be reasonably necessary for the conduct of the activity;
23. that the proposed activity is appropriate having regard to the economic impact on commercial operators immediately adjacent to the site;
24. that the proposed activity is appropriate having regard to the situation, suitability and amenity of the site in relation to neighbouring areas;
25. plans showing any temporary structure intended to be erected as part of the activity is structurally sound;
26. that the proposed activity will not significantly detract from the capacity of a road to provide a vehicular and, where relevant, pedestrian thoroughfare;
27. that the proposed activity will not obstruct access from the footpath to kerbside parking

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Email: enquiries@cassowarycoast.qld.gov.au**Approved Form 1.7 Application to Council (*What I Want*)****Applicable Law:***Cassowary Coast Regional Council Local Law No. 1 (Administration) 2022*

For most applications to Council, you must complete **Approved Form 1.7: Application to Council (*What I Want*)** and an approved form relevant to your application, provide the supporting documentation identified in the approved forms and make payment of the prescribed fee.

Applicant details:

Note: the applicant is the person responsible for making the application. The applicant is responsible for ensuring the information provided on all Cassowary Coast Regional Council application forms is correct. Any approval that may be issued as a consequence of this application will be issued to the applicant.

Applicant's name:	First name	Surname
Applicant's phone:		
Applicant's email:		
Residential address:		
Postal address:		

Business details (*if applicable*):

Business name:	
ABN:	
Phone number/s:	
Email address:	
Postal address:	
Director name(s):	
Name of agent / contractor <i>(if not the applicant)</i>	

New Permit - provide a brief description of the activity you want permitted:

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Property where the activity is to take place (if applicable):

Property ID number: <i>To be completed by Council if not known</i>	<i>Note: This number is important and should be used on all correspondence relating to this matter</i>
Property description: (lot and plan) <i>To be completed by Council if not known</i>	
Property address:	
Street / park name:	
Name of owner of property if not the applicant:	

Fee waiver / fee reduction request:

Not-for-profit and charity organisations may apply for a waiver or reduction of fees.
Proof of not-for-profit status must be provided for an applicant to be considered for a fee waiver or reduction.

Is this application for a charity or not-for-profit organisation?	☐ Yes – proof of status attached	☐ No (not eligible)
Is the initiative/event for a community purpose?	☐ Yes	☐ No (not eligible)
Is the not-for-profit organisation based on the Cassowary Coast?	☐ Yes	☐ No (not eligible)

Declaration:

I/ We declare that the information provided by me in this application is true and correct and I consent to the making of enquiries and exchange of information with authorities of any Local, State/Territory or Commonwealth department in regards to any matters relevant to this application:

Print name:		Signature:		Date:	
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The Council may, by written notice, request the applicant to provide further reasonable information or clarification of information, documents or materials to be included in the application. Council may require an application to include site plans, management plans, relevant consents, evidence of public liability insurance etc. Please note an application to Council may require approvals under another Act, for example in relation to development, building, liquor, carriage of goods and business licensing etc. Should the applicant not provide information, documents or materials to be included in the application, the application may lapse. See Section 7 *Cassowary Coast Regional Council Local Law No 1 (Administration) 2022*.