



## Operational Details

Nature of goods to be displayed for sale (eg books, furniture, clothes, shoes etc):

Days and times of operation:

Are the goods to be displayed on a stand (includes rack, table or support structure)?

Yes

No

If no, please provide details on how goods will be displayed?

## Occupier's Consent

Where the prescribed activity is to be operated at a place on a local government controlled road; and the place abuts, or is adjacent to, land other than a local government controlled area or road; and the operation of the prescribed activity may cause a nuisance, inconvenience or annoyance to the occupier of the land, the application must be accompanied by the written consent of the occupier of the land to the operation of the activity at the place, or a written statement from the occupier of the land in support of the operation of the prescribed activity at the place.

Occupier's name:

First

Middle

Last

Trading name:

Trading address:

Street number and name

City

State

Postcode

Preferred contact number:

Email:

## Supporting Documentation

Please remember to provide the following supporting documentation when submitting this form:

A site plan to scale (1:100) showing the following information and measurements:

- a) The length of the business frontage;
- b) The width of the footpath (shop front to kerb);
- c) The length of the display and width (breadth) of the display/s across the footpath;
- d) The approximate location of any Council property (eg litter bins, public seats) in front of the business; and
- e) The distance between the outer border of the display(s) and kerb (minimum distance of 1.5m required for pedestrian traffic).

Note: If the above measurements are not provided, the plan will be returned causing a delay.

Certificate of Cover for Public Liability Insurance to the minimum value of \$20 million dollars and noting Rockhampton Regional Council as an interested party – ensure the name on the insurance policy is the same name as the applicant name on this application and must be either a person or a company name.

Written statement/s of occupier's consent declaring that they support the operation of the described activity on the land abutting/adjacent to the property.

## Declaration

I submit this Commercial Use of Roads Application Form – Display of Goods for Sale on a Footpath with the relevant fee and supporting documentation as required.

Applicant name:

Applicant signature:

Date:

Signatory name:

(if partnership or company)

Signatory position:

(if partnership or company)

## Fees and Charges

For a full list of fees and charges please refer to Council's [Fees and Charges Schedule](#).

## Payment Information

**In person** | You can pay at Council's Customer Service Centres: 232 Bolsover Street, Rockhampton; 32 Hall Street, Mount Morgan; 1 Ranger Street, Gracemere.

**By phone** | Customer Service staff will contact you regarding payment via credit card or debit once this form is received.

**By post** | Make your cheques/money order payable to 'Rockhampton Regional Council' and send to PO Box 1860, Rockhampton, Queensland, 4700.

# Display of goods on a footpath

Council has a role in regulating footpaths to ensure any commercial (for-profit) activities on a footpath are carried out in a safe manner for customers and pedestrians whilst preventing nuisances to the surrounding environment.

*While no applications are required for the remainder of the 2020/2021 financial year, retailers and hospitality outlets will be required to make formal application for Commercial Use of Local Government Controlled Area and Roads if they wish to continue commercial use of the footpath from 1 July 2021.*

## What is 'display of goods for sale on a footpath'?

The display of goods for sale on a footpath is where a business intends to display items such as books, furniture, clothes, shoes etc. for sale either on tables or stands at their shopfront.

Goods for sale on a footpath does not include not-for-profit activities eg. raffle ticket or cake stall – refer to fact sheet Non-Commercial Regulated Activities on Local Government Controlled Areas and Roads.



## Trading on Local Government Controlled Areas and Roads

Businesses (for-profit) wanting to display goods for sale on Council controlled footpaths require approval in accordance with *Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011*.

## Trading on Private Land

Approval is not required when trading on private land, however you should check with Council's Development Assessment unit to see if planning approval is required.

## Trading on a Main Road

Approval is not required from Council when displaying goods for sale on a main (State Government-controlled) road, however you should check with Department of Transport and Main Roads to see if an approval is required.

## General Requirements

Persons wanting to display goods for sale on a footpath should adhere to the following conditions/requirements:

- Take measures to protect the safety of persons who may be involved in, or affected by, the activity;
- Take out and maintain public liability insurance for a minimum of \$20 million for Council controlled areas and roads indemnifying Rockhampton Regional Council against any or all claims of damages resulting from the activity;
- The activity must not:
  - a. cause a nuisance;
  - b. create a traffic nuisance;
  - c. increase an existing traffic nuisance;
  - d. detrimentally affect the efficiency of the road network;
  - e. detrimentally affect the amenity of the neighbourhood;
  - f. create a road safety risk.

- Displays must be on the shopfront side of the footpath;
- Goods must be displayed on a stable stand/s unless the display can be made safe;
- Displays must not encroach across neighbouring boundaries;
- Displays must be anchored to avoid customers easily moving the display (eg. locked wheels or solid stand);
- Provision of a clear unobstructed passageway of at least 1m wide to allow access to the shop;
- Provision of a clear unobstructed passageway of at least 1.5m wide for pedestrian traffic;
- Goods displayed for sale are only to be displayed if the goods are the property of, or offered for sale by, the approval holder;
- All goods and any structure designed for the display of the goods for sale are to be removed when the premise is not open for business.

### How to Apply for an Approval

To apply for a display of goods for sale on the footpath approval, you will need to submit a completed Commercial Use of Roads Application Form – Display of Goods for Sale on a Footpath with supporting documentation and pay the relevant application fee. Supporting information includes:

- Certificate of Cover for Public Liability Insurance with a minimum of \$20 million and noting Rockhampton Regional Council as an interested party;
- A site plan to scale (1:100) showing the following information and measurements:
  - a. The length of the business frontage;
  - b. The width of the footpath (shop front to kerb);
  - c. The length of the display and width (breadth) of the display across the footpath;
  - d. The approximate location of any Council property (eg. litter bins, public seats) in front of the business;
  - e. The distance between the outer border of the display/s and kerb.

Note: if the above measurements are not provided, the plan will be returned causing a delay.

The application process can take up to 30 days from the date of submission to the final approval, should there be no further information required. If further information is required, this will extend the application process by at least seven to 14 days. Contact Council for an application form.