Commercial Use of Roads Application Form – Display of Goods for Sale on a Footpath

Privacy Notice: Rockhampton Regional Council is collecting the personal information you supply on this form for the purpose of processing your application. Council is authorised to do this under *Rockhampton Regional Council Local Law No. 1 (Administration) 2011*, specifically Subordinate Local Law No.1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011. Council deals with your personal information in accordance with law including the Information Privacy Act 2009.



This form is to be completed when applying for approval to display goods for sale on a footpath. Approval for this activity allows a business to display items for sale such as books, furniture, clothes, shoes etc. on the footpath outside their shopfront. This application is not to be used where the applicant wants to hold a raffle ticket or cake stall on the footpath.

P: 07 4932 9000 | E: enquiries@rrc.qld.gov.au | W: www.rrc.qld.gov.au | PO Box 1860 Rockhampton QLD 4700 | ABN: 59 923 523 766

Applicant Details (applicant name must be the same as shown on the public liability insurance)							
Applicant name: (if partnership or company)			ABN:				
Applicant name: (if individual)							
First		Middle		Last			
Trading name:							
Postal address:							
Person responsible for the activity:							
Contact number/s:		Email:					
Company Details							
Registered office address: (if partnership or company)							
Street number an	nd name	City	State	Postcode			
Company director/s name:							
Manager/s name:							
Manager/s contact number:		Email:					
Preferred delivery method: Email Post Collect – (Rockhampton, Gracemere, Mt Morgan)							
Email is the standard form of delivery. If this is method is unsuitable please select an alternative.							
Site Details							
Site address:							
Street number and name		City	State	Postcode			
Location description:							
Lot number:		Plan number:					
Public Liability Insurance (please note a copy of your public liability insurance and indemnity statement must be provided)							
Name of insurer:		Policy number:					
Policy limit:		Expiry date:					
Is Rockhampton Regional Council noted as an inte		☐ Yes	□ No				
OFFICE USE Date:	CSO:		Information checked:	Information checked: Y / N			
ONLY Amount:	Receipt number:		Application number:	Application number:			

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 (inclu	le 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:						
\square 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 Applica supporting documentation as required.	tion Form – I	Display of Goods for Sale on	a Footpath with th	e relevant fee and		
Applicant name:	Applicant sig	gnature:	Date:			
Signatory name: (if partnership or company)	Signatory po					

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.



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-forprofit 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

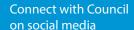
Persons wanting to display goods for sale on a footpath should adhere to the following conditions/requirements:

- 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.



Rockhampton Regional Council Planning & Regulatory Services

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- 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.

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