

**Commercial Use of Public Land and Roads - Conditions**

<b>Applicable criterion</b>	<b>Base conditions</b>
<b>Accommodation</b>	The approval holder or the approval holder's employee/s or contractor/s cannot accommodate themselves overnight at the approved site.
<b>Alcohol and drugs</b>	The approval holder or the approval holder's employee/s or contractor/s must not be affected by alcohol or drugs when on the approved site.
<b>Approval holder</b>	The approval holder must ensure their employee/s and/or contractor/s are aware of all conditions as outlined in this approval.
<b>Authorised Officer</b>	<p>Council has the right to request updated information for the duration of the approval; and</p> <p>The approval or copy of approval must be available upon request of a council Authorised Officer; and</p> <p>The approval holder or the approval holder's employee/s or contractor/s must comply with any notice from a council Authorised Officer.</p>
<b>Approval options</b>	The approval holder may apply to transfer or renew this approval.
<b>Cancellation</b>	<p>Council reserves the right to cancel the activity due to weather and will not be held responsible for any loss associated with a cancellation; and</p> <p>Council reserves the right to cancel this approval at any time.</p>

<b>Damage</b>	<p>If the approval holder or the approval holder's employee/s or contractor/s damages council public land, council owned or managed jetties, road, or any public infrastructure on public land or roads, they must:</p> <ul style="list-style-type: none"> <li>• take immediate steps to make the area safe and maintain the area in a safe condition until all necessary repairs have taken place; and</li> <li>• report the damage to council; and</li> <li>• pay council the amount it would cost for council to have all damage rectified or with Council's approval, carry out repairs at their own expense to the satisfaction of council.</li> </ul>
<b>Date/s, time/s, and site/s</b>	<p>The approval holder must only be at the approved site/s during the approved date/s and time/s specified in the approval.</p>
<b>Emergency Services Vehicle Access</b>	<p>The approval holder must maintain clear access (to a minimum width of 3.5 metres) for emergency service vehicles, to the site and any off-street parking area.</p>
<b>Equipment</b>	<p>The approval holder must ensure sharp or dangerous protrusions on equipment is covered and clearly signed to prevent injury; and</p> <p>The approval holder accepts that any loss or damage to any of their equipment is their responsibility and council will not be held responsible. All equipment, chattels and the like always remain the sole risk of the approval holder.</p>
<b>Fire Hydrants</b>	<p>The approval holder must maintain a 6-metre clearance from any fire hydrant within the permitted site.</p>
<b>Fire Safety</b>	<p>Any activity conducted in an indoor venue must comply with the fire evacuation procedure for that venue, maintain clear access to all exits and ensure safe exit routes to a place of safety that is external to the building; and</p> <p>If a state fire ban or bushfire warning is in place, council may require you to install additional equipment, take additional measures to minimise fire hazards or cancel your activity.</p>

<b>Footpaths/walkways</b>	<p>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</p> <p>The approval holder must maintain the activity is not sited in a manner that requires pedestrians using the footpath to move out from under a shop awning over the footway; and</p> <p>Walkways must not be obstructed to ensure the safe passage of the public during the activity.</p>
<b>Hazard / incident / near miss reporting</b>	<p>Any hazard, incident or near miss must be reported to council as soon as it is practical.  <b>Note:</b> Contact the Public Space Permits team on (07) 3205 0555.</p>
<b>Indemnity</b>	<p>The approval holder must indemnify and keep indemnified council against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the approval; and</p> <p>The approval holder may be required to indemnify the State for activities relating to a state road.</p>
<b>Industry Standards</b>	<p>The approval holder must ensure the permitted activity is conducted in accordance with all relevant industry standards and meets all necessary safety requirements.</p>
<b>Insurance</b>	<p>The approval holder must hold a current public liability insurance policy, in the same name as the person/organisation applying for the Local Law approval, for the amount as determined during the approval process.</p>
<b>Obstructions</b>	<p>The activity must not obstruct access to property; and</p> <p>The activity must not interfere with the movement or line of sight of vehicular and pedestrian traffic.</p>
<b>Operation of activity</b>	<p>The approval holder must operate as permitted by this approval in accordance with the application and supporting documents submitted to council.</p>

<b>Other approvals required</b>	In event the approval holder does not obtain the appropriate external approvals required to operate the activity, council may amend/suspend/cancel the approval.
<b>Personal Protective Clothing and Equipment (PPCE)</b>	<p>Workers must wear the following PPCE at all times:</p> <ul style="list-style-type: none"> <li>• High visibility clothing on the upper torso, e.g., a vest, shirt, or jacket; and</li> <li>• Covered footwear.</li> </ul> <p>Where required by the work task, workers must wear appropriate PPCE, which includes:</p> <ul style="list-style-type: none"> <li>• Safety helmet,</li> <li>• Eye protection,</li> <li>• Gloves,</li> <li>• Safety footwear i.e., “steel toe” shoes or boots,</li> <li>• Skin protection i.e., sunscreen,</li> <li>• Clothing for protection against heat and flame; and</li> <li>• Clothing to protect skin against toxic or volatile chemicals.</li> </ul> <p>It is strongly recommended that workers wear the following for protection from exposure to the sun:</p> <ul style="list-style-type: none"> <li>• Broad brimmed hat,</li> <li>• Sunglasses,</li> <li>• Long sleeve shirt; and</li> <li>• Trousers.</li> </ul>
<b>Plant operations</b>	<p>Plant operators must always carry the relevant High Risk Work licence on them.</p> <p>Plant operators must:</p>

	<ul style="list-style-type: none"> <li>• Wear appropriate PPCE; and</li> <li>• Familiarise themselves with: <ul style="list-style-type: none"> <li>○ The operational area; and</li> <li>○ The plant operations and controls; and</li> <li>○ The plant manufacturer’s machine operation guide (as located on the plant).</li> </ul> </li> <li>• Ensure that the ground in the area of operation is clear of obstructions; and</li> <li>• Assess loads are within the safe working capacity of the plant; and</li> <li>• Visually inspect load and report any hazards identified; and</li> <li>• Operate with a spotter; and</li> <li>• Travel no quicker than walking pace (5 km/h); and</li> <li>• Ensure the beacons is operational and on at all times of operation; and</li> <li>• Not make or answer phone calls when operating; and</li> <li>• Always wear a seatbelt.</li> </ul> <p>When the plant is not in use, drivers should not leave the key in the plant but keep the plant key on them.</p>
<b>Pollution</b>	The approval holder must make pollution reduction or control measures as specified by council, including that specified limits for emissions are not exceeded.
<b>Public land</b>	<p>Special mowing or additional servicing of council public land is not provided as part of this approval. Council maintains public land on a routine maintenance schedule; and</p> <p>The approval holder must return the approved area to its original condition at the end of the activity and accepts council may on charge costs associated with this if required.</p>

<b>Records</b>	Council may require the approval holder to maintain records of the activity. Records may include information such as licence numbers, number of attendees on site or water testing results.
<b>Site induction</b>	The approval holder must ensure all employee/e or contractor/s working on sites owned by council undergo a site induction, delivered by the approval holder.
<b>Site plan</b>	The applicant must provide a site plan for approval prior to this activity taking place.
<b>Waste</b>	<p>The approval holder must dispose of all waste generated from this activity; and</p> <p>At the conclusion of this activity, the approval holder must hand the site back in a clean and tidy condition; and</p> <p>No council waste bins are to be used for the disposal of any waste associated with the approved activity.</p>
<b>WH&amp;S / Public Health</b>	<p>The site, including the grounds, all public rooms, amenities, and facilities must be maintained in a clean and hygienic condition at all times, and all fixtures, fittings, appliances, and other equipment provided for the activity are maintained in a good and sound condition; and</p> <p>The approval holder must ensure operations are in accordance with the <i>Work Health and Safety Act 2011</i>, and in particular:</p> <ul style="list-style-type: none"> <li>• must act in a manner that does not endanger the health or safety of any other person using council public land; and</li> <li>• must carry out a safety direction that is given to the approval holder by council or another authorised person; and</li> <li>• must not wilfully or recklessly interfere with anything provided in the interest of health and safety at the permitted location.</li> </ul> <p>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 <i>Public Health Act 2005</i>.</p>

Applicable criterion	Specific Conditions
<b>Animals</b>	<p>The approval holder must ensure that no animal associated with the event is tethered to any tree on public land; and</p> <p>The approval holder must ensure that hand washing facilities are provided in areas where there is contact with animals. Hand washing facilities must:</p> <ul style="list-style-type: none"> <li>• be supplied with running water, soap, and paper towels; and</li> <li>• be cleaned regularly; and</li> <li>• be equipped with a bin to dispose of used paper towels; and</li> <li>• be equipped with signage providing instructions on how to effectively wash hands.</li> </ul>
<b>Amplified Sound</b>	<p>The approval holder must take all measures specified by council to ensure that specified limits of emissions are not exceeded; and</p> <p>The approval holder may be required to initiate a Noise Management Plan to reduce the risk of complaint and to keep noise emissions from the event within approval limits; and</p> <p>The approval holder is required to establish a suitable buffer zone, including setbacks from all boundaries to the satisfaction of the Authorised Officer; and</p> <p>The approval holder must ensure that noise complies with the requirements for open-air events prescribed in section 440X of the <i>Environmental Protection Act 1994</i>. This means that you must not use, or permit the use of, the premises for an open-air event on any day -</p> <ul style="list-style-type: none"> <li>• before 7.00am, if the use causes audible noise; or</li> <li>• from 7.00am - 10.00pm, if the use causes noise of more than 70 dB(A); or</li> <li>• from 10.00pm - midnight, if the use causes noise of more than the lesser of the following - <ul style="list-style-type: none"> <li>○ 50 dB(A); or</li> <li>○ 10 dB(A) above the background level</li> </ul> </li> </ul>

	A portable PA system may be used; however please take into consideration the volume and the type of music played.
<b>Amusement devices / bouncy castles</b>	<p>The approval holder must ensure no pegs or stakes are inserted into the park/sports field surface; and</p> <p>The approval holder must ensure the amusement device complies with <i>Australian Standard 3533</i> for Amusement Devices; and</p> <p>The approval holder must ensure all amusement devices are certified by a registered engineer and registered with WorkSafe by the device owner; and</p> <p>The approval holder must ensure all rides display a current registration number and protective fences or barriers are installed where necessary; and</p>
<b>Attendance</b>	Where an approval has been issued based on a maximum attendance number, the approval holder is responsible for ensuring that attendance is consistent with the approved number of attendees on site.
<b>Bathing Reserve</b>	The approval holder is permitted to use aquatic equipment within the bathing reserve.
<b>Caboolture Town Square</b>	Onsite Security Guards at Caboolture Town Square are employed by council to patrol the area and ensure the safety of council's infrastructure. These guards are not available to assist other activities.
<b>Drones</b>	<p>If a drone is being flown over a Moreton Bay Marine Park a Marine Park Permit may be required. The approval holder must contact the Department of Environment and Science to confirm if a permit is required and provide a copy of the permit to council or advise council if a permit is not required; and</p> <p>The approval holder must provide evidence of a Civil Aviation Safety Authority (CASA) license if relevant and comply with all relevant CASA regulations.</p>



<b>Fencing</b>	The approval holder must ensure fencing has been appropriately installed and secured taking into consideration weather and crowd conditions. All fencing must be installed as per the approved site plan.
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<p><b>Fireworks</b></p>	<p>The approval holder must provide evidence that their Fireworks Contractor holds a Fireworks Operator Licence; and</p> <p>Fireworks are not permitted (even if authorised by this approval) if a state fire ban is in place; and</p> <p>The approval holder must apply for an Aquatic Event Authority from Maritime Safety Queensland and provide evidence of the authority to council prior to the event taking place; and</p> <p>The approval holder must ensure the fireworks display is carried out in accordance with the current <i>Queensland Code of Practice – Control of Outdoor Fireworks Displays – First Edition – 1 December 2003 (Queensland Mines and Energy; “The Code”)</i>; and</p> <p>The approval holder may be required to pay for debris removal should debris associated with the fireworks wash up on a beach; and</p> <p>The approval holder must provide evidence that a notice for the Fireworks has been lodged with Queensland Government.</p>
<p><b>Food</b></p>	<p>All onsite food sales must be conducted in accordance with the provisions of the <i>Food Act 2006</i>; and</p> <p>Protective floor mats must be placed under all cooking appliances to prevent oil stains/grass burn; and</p> <p>If operating a cooking appliance, the approval holder must ensure suitable firefighting equipment is readily available; and</p> <p>Any person using cooking equipment must ensure suitable firefighting appliances are installed in accordance with the <i>Fire and Emergency Services Act 1990</i>, the <i>Building Act 1975</i>, and the <i>Building Code of Australia</i>; and</p>

	The approval holder may be required to install suitable firefighting appliances as required and directed by council in accordance with the <i>Fire and Emergency Services Act 1990</i> , the <i>Building Act 1975</i> , and the <i>Building Code of Australia</i> .
<b>Gas</b>	The approval holder must ensure all gas bottles are valid with a current test. Gas bottles must be secured within an appropriate Gas Bottle Storage Facility.
<b>Jetty Activation</b>	To prevent litter entering the Marine Park, the approval holder must provide extra refuse receptacles (including recycling receptacles) for the collection and storage of refuse generated because of the event.
<b>Notification</b>	<p>Where traffic management and/or parking restrictions have been approved, the approval holder must notify all residents/businesses within the area identified by council a minimum two weeks prior to the event taking place. The letter must include:</p> <ul style="list-style-type: none"> <li>• the event name, date/s, and time/s; and</li> <li>• a brief description of the event; and</li> <li>• expected attendance numbers; and</li> <li>• list of streets, park or locations affected and how the resident/business will be affected, include details regarding road closures and parking restrictions; and</li> <li>• the event organiser's contact details.</li> </ul> <p>Council may require evidence the approval holder has notified other state organisations as part of the approval process. Responses to this notification may be requested by council.</p>
<b>On/near water activities</b>	<p>The approval holder must apply for an Aquatic Event Authority from Maritime Safety Queensland and provide evidence of the authority to council prior to the event taking place; and</p> <p>The approval holder must ensure ingress and egress to the foreshore for the event (including pack in and pack out) are only via existing formal access points; and</p>

	<p>This approval does not allow the approval holder to use a motor vehicle on the beach area at any time without specific prior written approval; and</p> <p>Storage of watercraft shall not interfere with the public use of the beach and/or foreshore; and</p> <p>Everyone has a Biosecurity obligation to not introduce or spread biosecurity risks (weeds, insects, feral animals, etc). The approval holder must ensure all equipment including vehicles come to the site clean and leave clean, to minimise the risk of spreading pests and weeds; and</p> <p>The approval holder must ensure no vegetation removal takes place at access tracks, set up and pack down areas or launch access for watercraft; and</p> <p>The approval holder must be mindful that wildlife, including but not limited to, defensive birds and snakes may be present at the event location. Council requests the approval holder maintains a respectful distance to wildlife.</p> <p><b>Events on the coastal foreshore</b></p> <p>The approval holder must ensure all vehicles associated with the event park using the public car parks. No vehicles are permitted on the beach or foreshore; and</p> <p>The approval holder must ensure no equipment associated with the event i.e., marquees, chairs, tables, bins etc are not set up on the dunes. This is to help protect the dune vegetation and minimise erosion risk; and</p> <p>The approval holder must ensure pre-existing tracks are utilised to access to the foreshore and no additional tracks or shortcuts are taken to get to site; and</p> <p>The approval holder must ensure no activity takes places within 50m of a known shorebird habitat area; and</p>
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	<p>To prevent disorientation in nesting and hatchling mariner turtles, night events during the marine turtle breeding season (November - April) must have provisions in place to minimise light spill onto the foreshore.</p> <p><b>Events near natural or constructed water bodies (creeks, rivers, lakes, Lake Eden etc)</b> To minimise impacts to breeding animals such as ibis, egret, ducks, etc, the approval holder must ensure no activity takes place a minimum 20m from the breeding animals; and</p> <p>Access for watercraft is only permitted at pre-existing locations; and</p> <p>The approval holder must ensure all watercraft are cleaned prior to entering the water and must be cleaned on site after the activity has concluded to minimise the spread of aquatic weeds; and</p> <p>The approval holder must ensure no activity takes place within 50m of known shorebird foraging zones to prevent disturbance to migratory shorebirds.</p>
<b>Power</b>	<p>Access to council's power supply has been approved for this event. Power must be used as per the approved loading report. The approval holder must comply with the Electrical Safety Act 2002, Review of the Electrical Safety Act 2002, The Electrical Safety Regulation 2013, and codes of practice; and</p> <p>The approval holder must ensure all power cables are covered by cable covers throughout the site and all power cords have current test and tag showing; and</p> <p>Generators have been approved for use at this event and must be placed as per site plan.</p>
<b>Signs</b>	<p>The approval holder must ensure any signs that do not meet the self-assessable criteria are applied for in accordance with Moreton Bay City Council Signs Local Law 2023.</p>
<b>Temporary structures</b>	<p>The approval holder must ensure no pegs or stakes are inserted into the park/sports field surface and that all temporary structures are self-supporting and weighted down unless approved otherwise for this</p>

	<p>approval. Onsite staff must monitor wind levels during pack in, event times and pack out to ensure the appropriate weights are being used to keep temporary structures grounded; and</p> <p>The approval holder must ensure all event structures including temporary buildings, stages, viewing platforms and spectator stands are constructed in accordance with the relevant provisions of the <i>Building Act 1975</i>, <i>Building Regulation 2006</i>, <i>Queensland Development Code</i>, <i>Building Code of Australia</i>, and the relevant Australian Standards. Prior to being used, all structures must be inspected by a suitably qualified and experienced RPEQ structural engineer to ensure they are safe and suitable for use. No structures can be left unattended at any time without barricading, signage, and security staff; and</p> <p>The approval holder must ensure all structures are removed from the site by the end of pack out time; and</p> <p>Stand up umbrellas, wedding arches and chairs are permitted, and a “red carpet” may be laid down for weddings.</p>
<b>Toilets</b>	<p>Toilet and ablution facilities must be supplied as determined by council. They must be placed as per approved site plan and removed from site by the end of pack out time; and</p> <p>Toilet and ablution facilities must be checked periodically throughout the event and are always kept in a clean and hygienic condition.</p>
<b>Traffic management</b>	<p>The approval holder must take all steps reasonably practicable to minimise impacts to local businesses and surrounding residents with respect to road use and parking; and</p> <p>Any parking must not impact vegetation in any way. For example, no vegetation is able to be trimmed or pruned to facilitate the event or event parking. Designated parking shall be at least 2m away from tree trunks; and</p> <p>Off-street parking spaces may be required, with access to off street parking areas to be highlighted in the Traffic Management Plan; and</p>

	<p>Where traffic management is being implemented on a Department of Transport &amp; Main Road (DTMR) road, the approval holder must provide the DTMR approval to council prior to the activity taking place; and</p> <p>The approval holder must operate as permitted by this approval in accordance with the Traffic Management Plan submitted and approved by council.</p>
<p><b>Vehicles on site</b></p>	<p>Vehicle speed limits when not on defined roads i.e., on grass or dirt, is walking pace (5 km/h); and</p> <p>Vehicles must use a “spotter” when moving in, out, and around, the event site. Note: A spotter is a person who walks in front of a vehicle to guide it and make others in the area aware of the vehicle that they are guiding; and</p> <p>Vehicle driving lights and hazard lights must be turned on when the vehicle is moving; and</p> <p>When the vehicle is not in use, drivers should keep the key to their vehicle key on them; and</p> <p>All vehicles onsite must be parked lawfully and in accordance with the <i>Transport Operation (Road Use Management - Road Rules) Regulation 2009</i>; and</p> <p>The approval holder must ensure all vehicles enter and park as instructed by council.</p>
<p><b>Waste Management</b></p>	<p>The approval holder must ensure all waste is removed from site by the end of pack out time; and</p> <p>Where a Waste Management Plan has been approved the approval holder must ensure all waste generated at the event is disposed of as outlined in the Waste Management Plan; and</p> <p>The approval holder must ensure all grey water is disposed of off-site; and</p> <p>The approval holder must ensure all ice is disposed of off-site.</p>

<p><b>Commercial vehicle access</b></p>	<p>The approval is valid for the vehicles stated on the submitted application form only; and</p> <p>A maximum of 6 vehicles (cars or trailers) are allowed on the beach at any given time whilst undertaking Commercial Fishing activities. The approval holder must ensure pre-existing tracks are utilised and no additional tracks or shortcuts are taken for the approved access; and</p> <p>All vehicles as part of this approval must be driven at a speed and in a manner, consistent with the reasonable demands of safety having regard to the access width, surface, condition, visibility, grade, traction, weather conditions and other park users; and</p> <p>All vehicles must be parked in accordance with all official traffic signs; and</p> <p>All vehicles must not obstruct the movement or access of other vehicles; and</p> <p>Any key issued to the approval holder to allow access to locked or restricted public land must be returned upon the expiry of the approval; and</p> <p>Any gates encountered must be left either open or closed as they are found, unless otherwise directed by council; and</p> <p>The approval holder must ensure no damage takes place to any grass cover and shrubs on public land in conjunction with the vehicle access; and</p> <p>The approval holder and their employee/s and/or contractor/s must comply with any direction contained in or given by a sign or notice erected or displayed on public land; and</p> <p>The approval holder and their employee/s and/or contractor/s must during the term of this approval, comply with the provisions of the Transport Operations (Road Use Management) Act 1995, Civil Aviation Authority Act, regulations and orders and any other Act or Statute which applies to vehicle access authorised by this approval; and</p>
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The approval holder must not cause a nuisance to other users or adjoining residents; and Helicopters must be landed only at the site nominated by council.

**Vehicle access to council owned or managed jetties**

The gross vehicle weight of the nominated vehicle(s), when fully loaded, must not exceed 3 tonnes, must not exceed 2.5 metres in width and have a maximum of two axles only.

The nominated vehicle(s) must:

- not be used on the jetty in combination with a trailer and/or other than for transporting goods to or from a vessel moored at the jetty; and
- not remain on the jetty for a period longer than is reasonably required to load or unload the goods from the vessel or 1 hour, which is the lesser; and
- be removed from the jetty as soon as the loading or unloading is complete; and
- only be used on the jetty between 7:00am and 5:00pm on any day; and
- only be parked on the jetty head area, no vehicle is to access the jetty fingers.

The person operating the nominated vehicle(s) must:

- not enter the jetty if another vehicle is already on the jetty (i.e., only one vehicle may be on the jetty at any time); and
- only enter the jetty from Redcliffe Parade via the Redcliffe Jetty access route; and
- not drive the vehicle on the jetty at a speed greater than 5 kph; and
- except in the case of vehicle breakdown, not stop the vehicle on the jetty other than in the jetty head area. If the vehicle breaks down, take immediate steps to remove the vehicle from the jetty; and
- not undertake a vehicle reversing manoeuvre on the jetty other than in the jetty head area; and
- give right-of-way to any other persons on the jetty.

The permit must:

- be clearly displayed on the nominated vehicle(s) at all times when the vehicle is on the jetty during the term of this approval; and

	<ul style="list-style-type: none"> <li>• be presented upon request by an Authorised Officer or member of Queensland Police when the vehicle is on the jetty.</li> </ul>
<p><b>Display of commercial goods</b></p>	<p>The display area is established on a footway adjacent to land associated with the business and where, in the opinion of council -</p> <ul style="list-style-type: none"> <li>• there is sufficient capacity on the footway to accommodate the establishment of the display area; and</li> <li>• the operation of the display area will not unduly interfere with the proper use of the road; and</li> </ul> <p>The display area must be established as an integral component of an existing or proposed commercial premises located in an adjacent building with frontage to a road; and</p> <p>The display area is limited to the following situations-</p> <ul style="list-style-type: none"> <li>• at least one (1.0) metre from the boundaries of adjacent shop fronts; and</li> <li>• is not more than 50% of the subject properties' frontage; and</li> <li>• does not exceed 1.8 metres in height; and</li> <li>• is clear of any public utilities, e.g., telephone booth, litter bins; and</li> </ul> <p>The layout of a display area does not impede clear sight lines for road signage, vehicles or pedestrians at road junctions, vehicle access crossovers or pedestrian crossings; and</p> <p>The establishment and use of a display area does not conflict with or inconvenience, other premises in the immediate vicinity, nor obstruct access to neighbouring premises; and</p> <p>If an umbrella is used in a display area it must have a minimum clearance above the footway of 2.2 metres measured perpendicular from the lowest point of the extended arms (spokes) of the umbrella, and the umbrella is securely anchored and capable of being taken down in adverse weather conditions or as directed by an Authorised Officer; and</p> <p>All display furniture used in association with a display area is of sufficient weight and structure and does not create a public nuisance or health or safety risk in adverse weather conditions, pallets and cardboard</p>

boxes are not used in a display area unless approved as part of this approval.

Any food, including fruit and vegetables, displayed, or stored in a display area is at least 750mm above ground level and in accordance with the provisions of the *Food Act 2006*; and

Any vehicles, liquor products or flammable liquids, poisons or other dangerous goods must not be displayed or stored in a display area; and

All display furniture used in a display area is capable of being removed from the display area each day at the close of the operator's business; and

Amplified noise must not create a nuisance; and

In circumstances deemed appropriate by council, in a particular case, the approval holder, or the approval holder's employee/s or contractor/s must comply with a notice from council specifying the times on any day during which the display area may, or may not, be open for business. A notice may include making the road reserve available on a particular date and/or at a particular time for a special event; and

The approval holder, or the approval holder's employee/s or contractor/s must not cause or permit any amplified music or other noise associated with the operation of the display area 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 display area exceeds 60dB(A), measured outside any affected place (see *Environmental Protection (Noise) Policy, 2008*); and

Council may direct the approval holder, or the approval holder's employee/s or contractor/s to take specified measures to prevent or minimise the incidence of nuisance arising out of, or in connection with, the operation of the display area; and

The approval holder must always keep the display area clean and tidy and, upon receipt of a notice of council to steam-clean the area within a specified period, the operator must comply with the notice.

<p><b>Itinerant vending</b></p>	<p>The vehicle intended to be used as an itinerant vending vehicle -</p> <ul style="list-style-type: none"> <li>• does not have a gross vehicle weight more than 4.5 tonnes or a length more than 7.5 metres; and</li> <li>• is not to be used on a footpath; and</li> <li>• is currently registered under the <i>Transport Operations (Road Use Management - Vehicle Registration) Regulation 2021</i>; and</li> <li>• will be used in a manner that conforms to the <i>Transport Operation (Road Use Management) Act 1995</i>; and</li> <li>• will not adversely affect the amenity of the surrounding area; and</li> <li>• will not cause a nuisance to neighbouring properties or users of the road or public land.</li> </ul> <p>If the itinerant vending business is also a licensable food business, the operator must obtain and maintain a Food Business Licence under the <i>Food Act 2006</i>, the Licence must be kept current while the vehicle is being used for itinerant vending; and</p> <p>A vehicle must not be used as an itinerant vending vehicle on a state road without the prior written approval of the Department of Transport and Main Roads to use the road for that purpose; and</p> <p>Itinerant vending operations must not be carried out on the roads, car parks and public land listed in the approval; and</p> <p>Use of a road for itinerant vending operations must comply with the <i>Transport Operations (Road Use Management- Road Rules) Regulation 2009</i>; and</p> <p>A trailer or non-motorised vehicle must not be used in connection with a motor vehicle while it is being used as an itinerant vending vehicle; and</p> <p>The approval holder must ensure that the activity does not adversely affect the amenity of the surrounding area; and</p>
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	<p>The approval holder must not interfere with the existing public infrastructure located in, on or over a road or public land; and</p> <p>An itinerant vendor must -</p> <p>ensure that the vehicle is kept in motion, only stopping the vehicle for the purpose of making a sale of goods being carried on, or in the vehicle; and</p> <ul style="list-style-type: none"> <li>• not stop the vehicle for the purpose of making a sale unless hailed by a person intending to purchase goods being carried on, or in the vehicle; and</li> <li>• put the vehicle back in motion immediately after all persons at the stopping point have been served, and no other prospective customers are in attendance at the stopping point at the material time; and</li> <li>• not operate the vehicle as a standing vehicle from a fixed location without the approval of the council.</li> </ul> <p>The operator must not cause or permit any amplified music or other noise associated with the operation of the operator's vehicle to be emitted from the vehicle 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 vehicle exceeds the noise level 60db (A), measured at any affected place (see <i>Environmental Protection (Noise) Policy 2008</i>); and</p> <p>Chimes, music, or other amplified sound heralding the arrival or presence of a vehicle in a locality are only permitted -</p> <ul style="list-style-type: none"> <li>• on a business day or Saturday between the hours of 7.00am and 7.0 pm; or</li> <li>• on any other day between 8.00am and 7.00pm; and</li> </ul> <p>Flammable liquids, poisons or other dangerous goods must not be carried in a vehicle, other than fuel</p>
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	<p>used for the vehicle's normal operation; and  The approval holder must comply with all other traffic safety measures deemed necessary by council or the State Government; and</p> <p>The person who is driving a vehicle at the time of operation –</p> <ul style="list-style-type: none"> <li>• is taken to be the operator of the vehicle; and</li> <li>• must comply with the conditions of approval issued for this approval; and</li> </ul> <p>In circumstances deemed appropriate by council, in a particular case, the approval holder, or the approval holder's employee/s or contractor/s must comply with a notice from council specifying the times on any day when a nominated road must not be used. A notice may include making the road reserve available on a particular date and/or at a particular time for a special event; and</p> <p>Department of Transport and Main Roads do not allow a vehicle to be used as an itinerant vending vehicle on a state road.</p>
<p><b>Jetty landing</b></p>	<p>The approval holder must not engage in conduct which has the effect of preventing or hindering any user of marine facilities, including but not limited to occupying a landing or ramp for a period that is unreasonable given the size of the vessel and the number of people embarking or disembarking from the vessel, or otherwise preventing or hindering access to the facility by vessels, vehicles, persons, or animals; and</p> <p>The undertaking of the approved business must not cause an odour, noise or smoke nuisance which causes an unreasonable adverse effect on the amenity of the surrounding area; and</p> <p>A contaminant must not be released to the environment as part of the undertaking of the approved business unless such release is specifically authorised by the <i>Environmental Protection Act 1994</i>; and</p> <p>Adequate storage must be provided for all hazardous materials stored or used as part of the undertaking of the approved business; and</p>

	<p>All hazardous materials must be stored and used in a safe manner; and</p> <p>All waste, including wastewater, generated because of the undertaking of the approved business must be disposed of in accordance with the <i>Environmental Protection Act 1994</i> and the <i>Plumbing and Drainage Act 2002</i>; and</p> <p>All wastewater generated during or from the undertaking of the approved business must be discharged safely to the sewage system or an on-site sewage facility; and</p> <p>Human waste from the approved business must be disposed of at a dedicated sanitary facility, sewage system or on-site sewerage facility; and</p> <p>Trade waste from the approved business must be disposed of in accordance with an approval under the <i>Water Act 2000</i>; and</p> <p>Wastewater from the approved business must be collected and released to a discharge point approved by council, or otherwise disposed of in such a way that it will not enter the storm water system or waterways; and</p> <p>All access ways and other areas to which the public has access within the approved business must be maintained in a clean, safe, tidy, and sanitary condition at all times; and</p> <p>The approval holder must not store, decant, or refuel a vessel on council owned or managed landings, jetties, or ramps. All refuelling over water shall be approved and licensed by the Port of Brisbane Corporation or any other relevant Authority; and</p> <p>The approval holder must not interfere with the existing public infrastructure located in, on, over or surrounding a landing, jetty or boat ramp; and</p> <p>The approval holder must not tout for business.</p>
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	<p>The approval does not imply right of use or mooring on the approved landing, jetty or boat ramp; and</p> <p>The approval holder is required to ensure that all masters and crew persons employed to operate vessels on the service shall hold a commercial license issued by or accepted by <i>Maritime Safety Queensland</i> in accordance with the requirements of the <i>Transport Operations (Marine Safety) Regulation 2016</i>; and</p> <p>All crew employed to operate the service must have a thorough knowledge of the route and timetables for the service; and</p> <p>Masters of vessels must comply with the requirements of the <i>Transport Operations (Marine Safety) Act 1994</i> and subordinate legislation at all times; and</p> <p>Upon written notice from Council, the approval holder must relocate the vessel for a reasonable period (not longer than 12 hours) during festivals or events which require use of the jetty.</p>
<p><b>Moreton Bay Pop Ups / Trading on Public Land and Roads</b></p>	<p>To ensure safety of the 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.</p> <p>Access to council water supply has not been approved as part of this approval; and</p> <p>A portable PA system may be used; however please take into consideration the volume and the type of music played. The approval holder must ensure that noise complies with the requirements for open-air events prescribed in section 440X of the Environmental Protection Act 1994. This means that you must not use, or permit the use of, the premises for an open-air event on any day -</p> <ul style="list-style-type: none"> <li>• Before 7.00am, if the use causes audible noise; or</li> <li>• From 7.00am - 10.00pm, if the use causes noise of more than 70 dB(A); or</li> <li>• From 10.00pm - midnight, if the use causes noise of more than the lesser of the following - <ul style="list-style-type: none"> <li>○ 50 dB(A);</li> <li>○ 10 dB(A) above the background level; and</li> </ul> </li> </ul>



	<p>Any noise associated with the operation of the operator's temporary business site that, in an Authorised Officer's opinion is a nuisance, is not permitted; and</p> <p>Alcohol is not permitted as part of this approval; and</p> <p>All goods, equipment, materials, and rubbish must be removed from the site each day at the end of the approved time; and</p> <p>Goods stored or transported on public land in accordance with the approval must be done so with regard to public safety; and</p> <p>Council reserves the right to prevent access to public land and roads without notice for any reasonable reason. Compensation is not payable to any permit holder that may suffer loss as a result of such action by council; and</p> <p>If the approval holder abandons the site or the approval is cancelled, the approval holder must take immediate steps to remove any vehicle or structures associated with the approval and reinstate the site to a condition which satisfies council; and</p> <p>The approval holder must keep the site in a clean and tidy condition and must comply with notices from council to steam clean the site within the time specified within the notice; and</p> <p>No structures on site are to be used for supporting, anchoring or holding any exercise device or equipment; and</p> <p>No playground equipment, tables, seats or shelters are to be used as exercise equipment; and</p> <p>Flammable liquids, poisons or other dangerous goods must not be displayed or stored in, or on, a temporary business site; and</p>
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	<p>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 Officer; and</p> <p>The area immediately adjacent to the business is to be kept clean at all times by the approval holder; and No liquid wastes are to be discharged onto the road, footpath, or street drainage system; and</p> <p>The approval holder must familiarise themselves with the conditions for the program as identified in the Moreton Bay Pop Ups Guideline on Council website; and</p> <p>The approval holder must familiarise themselves with the 'site specific conditions' as displayed on the site plans for each Moreton Bay Pop Ups location on council's website to ensure that conditions are followed; and</p> <p>For conditions identified in the Redcliffe Foreshore Master Plan refer to:  <a href="https://www.moretonbay.qld.gov.au/files/assets/public/services/publications/redcliffe-foreshore-master-plan.pdf">https://www.moretonbay.qld.gov.au/files/assets/public/services/publications/redcliffe-foreshore-master-plan.pdf</a></p> <p>For sites identified in the Redcliffe Foreshore Master Plan refer to:  <a href="https://www.moretonbay.qld.gov.au/files/assets/public/services/licence-regulations/moreton-bay-pop-ups-guideline.pdf">https://www.moretonbay.qld.gov.au/files/assets/public/services/licence-regulations/moreton-bay-pop-ups-guideline.pdf</a></p>
<p><b>Outdoor dining</b></p>	<p>The proposed area is adjacent to appropriately zoned land under the planning scheme; and</p> <ul style="list-style-type: none"> <li>• there is sufficient capacity on the road to accommodate the establishment of the outdoor dining area; and</li> <li>• the operation of the outdoor dining area will not unduly interfere with the proper use of the road, in the preferred location; and</li> </ul>

	<p>Council may at its discretion, allow one or more on-street car parking spaces to be used as an outdoor dining area where, in the opinion of an Authorised Officer and having regard to the availability of car parking facilities and car parking demand in the immediate and general vicinity of the proposed outdoor dining area, there are sound grounds for granting the approval in a particular case; and</p> <p>The proposed outdoor dining area is a component of an existing or proposed food business located in an adjacent building; and</p> <p>The proposed outdoor dining area does not encroach beyond the side boundaries of the subject property notionally extended out to the road reserve without the prior written approval of both the owner and occupier of the adjoining properties; and</p> <p>The layout of the outdoor dining area including the seating, landscaping, and any structures associated with the outdoor dining areas does not obstruct the vision of drivers, or pedestrian crossings; and</p> <p>The outdoor dining area is designed so that pedestrians, when using the relevant footpath, are not required to move out from under any shelter that existed prior to the establishment of the outdoor dining area; and</p> <p>The establishment and use of an outdoor dining area neither conflict with, or inconveniences, other business establishments in the immediate vicinity; and</p> <p>Any umbrella used in an outdoor dining area has a minimum clearance above the walkway or floor area of 2.2 metres measured perpendicular from the lowest point of the extended arms (spokes) of the umbrella, and the umbrella is securely anchored; and</p> <p>Umbrellas and awnings over footpath dining areas do not direct rainwater onto pedestrian footpaths that would otherwise be protected from the rain; and</p>
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	<p>Furniture to be used in an outdoor dining area is of sufficient weight and structure and does not create a public health or safety risk in adverse weather conditions and the furniture complies with relevant industry standards; and</p> <p>All plantings proposed to enhance an outdoor dining area provide shade wherever possible, rather than being utilised primarily as a screening element, and such plantings are designed to unify the streetscape in the general vicinity; and</p> <p>The application demonstrates ability to satisfy the design requirements of the relevant streetscape manuals; and</p> <p>Sanitary facilities accord with the provisions of the <i>Building Act 1975</i>, for the total seating capacity of the food business including the outdoor dining area, however, council may consider the availability of alternative sanitary facilities provided that -</p> <ul style="list-style-type: none"> <li>• they are located within a reasonable distance (not more than 50 metres) from; and</li> <li>• they are adequate for the additional use created by the proposed outdoor dining area; and</li> </ul> <p>The outdoor dining area must be kept clean and tidy at all times; and</p> <p>The approval holder or their employee must immediately clean the area following the spillage of food or drink; and</p> <p>Tables must be cleared of used eating and drinking utensils, food and immediately after the departure of customers so as not to attract birds or pests or to be blown from the table; and</p> <p>All removable outdoor dining furniture, shade structures and other associated items should be removed from the footpath and stored in the premises outside trading hours; and removed in times of high winds or as directed by an Authorised Officer; and</p>
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	<p>No alcohol is to be sold in the outdoor dining area unless the area is covered by the necessary licence or approval issued under the <i>Liquor Act 1992</i>; and</p> <p>The approval holder must ensure that, at all times, the primary purpose of the outdoor dining area is for dining purposes only, and not used primarily for the consumption of alcohol; and</p> <p>The approval holder must ensure that at all times, no food, goods, or materials are stored, prepared, or displayed for sale within the outdoor dining area without prior written approval from council; and</p> <p>All furniture and other ancillary equipment associated with the use of the outdoor dining area must be so placed as not to inhibit -</p> <ul style="list-style-type: none"><li>• the effectiveness of any traffic sign or other traffic control device; or</li><li>• access to public utilities such as fire hydrants, access chambers, inspection chambers, kerb ramps, pedestrian crossings, and bus stops; or</li><li>• the paths of travel to kerb ramps, pedestrian crossings, bus stops and adjacent parked vehicles; and</li></ul> <p>A copy of this approval must be held on the premises during the prescribed hours of operation under this licence and must be produced for viewing upon request by an Authorised Officer under the local law; and</p> <p>The approval holder must acknowledge that -</p> <ul style="list-style-type: none"><li>• the use of the outdoor dining area is subject to any additional requirements that council may impose from time to time in the event of construction or other improvement works on the footpath or on adjacent or nearby roads; and</li><li>• this may require commercial operations to cease for specified times; and</li></ul>
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	<ul style="list-style-type: none"> <li>• in the event that there is a requirement for trading to cease for those purposes, then no right of compensation arises, and the operator hereby waives any right to compensation; and</li> </ul> <p>live entertainment</p> <ul style="list-style-type: none"> <li>• or any part of an amplified music system associated with the operation of the outdoor eating area or its associated food handling premises is not permitted on or above the footpath area of the road and is not to be directed towards the footpath area unless otherwise approved by the council</li> </ul> <p>hygiene and cleanliness</p> <ul style="list-style-type: none"> <li>• council may, from time to time, require the approval holder to steam clean the footpath within the outdoor dining area due to frequent use; and</li> <li>• upon receipt of a notice from council to steam-clean the site within a specified period, because of the operator's regular or frequent use of the site, the operator must comply with the notice; and</li> <li>• no liquid wastes are to be discharged onto the footpath or street drainage system; and</li> </ul> <p>outdoor dining furniture</p> <ul style="list-style-type: none"> <li>• the location of outdoor dining furniture and associated items must remain as approved and cannot be altered; and</li> <li>• all outdoor dining furniture (including plantings) must be maintained in a sound condition and kept clean and presentable at all times</li> </ul>
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