

**Select application type:**

<input type="checkbox"/> <b>New application</b>	<input type="checkbox"/> <b>Amendment to existing permit</b>
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**1. Applicant details**
**Permit holder**

Name of person	
Corporation, business, incorporated association	ABN

**Applicant name/s\***
**Contact 1**

Surname			
Given names		Date of birth	
Postal address			
Suburb		State	Postcode
Business phone	A/H phone	Mobile	
Email			
Preferred method of contact for correspondence	<input type="checkbox"/> Email		<input type="checkbox"/> Post

**Contact 2**

Surname			
Given names		Date of birth	
Postal address			
Suburb		State	Postcode
Business phone	A/H phone	Mobile	
Email			
Preferred method of contact for correspondence	<input type="checkbox"/> Email		<input type="checkbox"/> Post

**2. Business details**

Business trading name	
Postal address	
Preferred contact person	Business phone
Email	

**Privacy**

Council will use any personal information provided for the intended purpose only and for remaining in contact with you. Council is authorised to collect this information in accordance with the *Local Government Act 2009* and other Local Government Acts. Your personal information is only accessed by persons authorised to do so. Council may provide information about you to any relevant Queensland State Department. Your personal information is dealt with in accordance with council's privacy policy.

[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au) | [mail@sunshinecoast.qld.gov.au](mailto:mail@sunshinecoast.qld.gov.au) | T 07 5475 7272

**Postal address** Locked Bag 72 Sunshine Coast Mail Centre Qld 4560 | ABN 37 876 973 913

**Caloundra office** 1 Omrah Avenue Caloundra Qld 4551  
**Maroochydore office** 10 First Avenue Maroochydore Qld 4558  
**Nambour office** Corner Currie and Bury Streets Nambour Qld 4560

### 3. Public liability insurance

Sunshine Coast Regional Council must be noted as an interested party on the Certificate of Currency and level of cover must be \$20,000,000 noting the prescribed activity.

Name of insured	Policy no.	
Name of insurer	Expiry date	
Has a copy of the Certificate of Currency been attached to the application?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	* Date certificate will be provided:

### 4. Permit type

- Commercial Fitness Permit** - land based physical fitness or wellbeing activities (i.e. one-on-one personal training, group classes) not including personal therapies or services (i.e. massage). *Please note – relevant fitness industry qualifications must be provided. Complete section 5*
- Itinerant Food Vendor Permit** - a vehicle selling food or drink from the roadway that travels from place to place to engage in trade, with no fixed operating location. *Please note – a food licence may be required. Complete section 6*
- Not for Profit Activity Permit** - Not for Profit organisation activities that operate on an ongoing, regular or irregular basis. *Please note - a copy of the Not for Profit registration must be provided. Complete section 7*
- Other Commercial Activities Permit** - commercial activities held occasionally in low use locations with no impact on locations. *Please note – site plan must be provided. Complete section 8*

### 5. Commercial Fitness Permit details

Is application for Commercial Fitness Permit?	<input type="checkbox"/> Yes – complete Item below in full <input type="checkbox"/> No – proceed to Item 6.
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Proposed location/s (include a site map of each location, indicating the exact land area for the proposed activity).

Must only conduct permitted activity between 5am to 7pm.

Maximum of 2 hours is permitted for each fitness session which includes setup and clean-up times.

Maximum of 5 locations will be allowed per permit.

#### Hours and details of permitted operations

Weekday	Locations	Start time	Finish time	Class type	Equipment used
<i>Example</i>	<i>List council park name</i>	<i>10.30am</i>	<i>12.30pm</i>	<i>1:1 training</i>	<i>Hand weights, yoga mats</i>
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Saturday					
Sunday					

Square Metre size requested (as per site plan) sqm

List relevant fitness industry qualification/s

\* A copy of relevant fitness industry qualifications issued in the name of the applicant must be provided.

## Commercial Fitness Special Permit Conditions

### The Permit Holder:

1. Must not conduct the permitted activity at Mooloolaba Beach (including foreshore parks), Mooloolaba Spit (including foreshore parks), Cotton Tree Park Maroochydore, Happy Valley Caloundra, Kings Beach Caloundra, Black Swan Park Cotton Tree, Buhk Family Park Alexandra Headland, Pierce Park Buddina or Buderim Village Green Park Buderim.
2. Must not conduct the permitted activity within dog off leash area.
3. Must not operate within 100 metres of any residence, including caravan parks.
4. Must not cause unreasonable interference to other users of the council-controlled land or adjacent residents from any intrusive noise due to its frequency, duration, level, tonal characteristics, impulsiveness or vibration. Classes where noise levels exceed this are boot camps.
5. Must conduct noisy and boot camp style activities only at sports grounds as negotiated with the lessee of the sports ground and at beaches other than those beaches listed in special permit condition 1 above.
6. Must not conduct the permitted activity on beaches within 200 metres from any flagged bathing area and is prohibited from use of the dunal areas.
7. Must not use any park infrastructure such as playground equipment, shelters, seats, tables, bollards and fencing (other than council installed fitness equipment) for any purpose such as training props or storing of belongings and equipment.
8. Must not interfere with any vegetation or trees, including affix, fasten or screw anything to vegetation or infrastructure.
9. Must not use star pickets or any other ground piercing device on council controlled land at any time due to the presence of underground infrastructure. Witches hats may be used to delineate boundaries for fitness activities but must be removed at the conclusion of each training session.
10. Must not place any equipment, including markers, at a location more than 15 minutes prior to a class commencing
11. Must not use tyres, combat ropes, sleds or mechanised equipment on council controlled land.
12. Must not use any form of amplified noise (e.g. music) during the permitted activity.
13. Must not conduct permitted activity prior to 5:00am and not after 7:00pm. A maximum of 2 hours only is allowed for each fitness session which includes setup and clean-up times. A maximum of 5 locations will be allowed per permit.
14. Must be present during all activities conducted on council-controlled land.
15. Must only conduct a single commercial fitness class at one location at one time.
16. Must personally assess the area intended to be used prior to each class to ensure that:
  - a. It is safe and suitable for the activities to be conducted
  - b. It is safe and suitable given the weather conditions
  - c. It is suitable should first aid need to be given or an ambulance be required to attend

## 6. Itinerant Food Vendor Permit details

<b>Is application for Itinerant Food Vendor Permit?</b>	<input type="checkbox"/> <b>Yes – complete Item below in full</b> <input type="checkbox"/> <b>No – proceed to Item 7.</b>		
Description of items for sale			
Description of processes and procedures of food handling (preparation and service)			
Vehicle details:	Car Registration	Make	Model
	Trailer Registration	Make	Model
Select Mobile Food Licence type:	<input type="checkbox"/> <b>Existing:</b> Food Licence No: _____ Attach copy of current Food Licence		
	<input type="checkbox"/> <b>New:</b> Attach completed Mobile Food Business Application with floor plan and fees. Selling food from a mobile van may require a food licence. Refer to council's website for more information on Mobile Food Licences.		
<b>Square Metre size requested (as per site plan)</b>		sqm	

## Itinerant Food Vendor Special Permit Conditions

### The Permit Holder:

1. Must not park the permitted vehicle for a period longer than necessary to serve a customer who has hailed down the vehicle.
2. Must obtain permission of the owner or occupier of any private land where the permit holder would like to operate from and only remain on site long enough to conclude the sale to persons present at that time. The Permit holder accepts responsibility for obtaining a Material Change of Use where the permitted activity is to operate from private land for any length of time.

## 7. Not for Profit Activity Permit details

<b>Is application for Not for Profit Permit?</b>	<input type="checkbox"/> <b>Yes – complete Item below in full</b> <input type="checkbox"/> <b>No – proceed to Item 8.</b>
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Is a copy of the Not for Profit registration attached to this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No – provide date this will be provided: Note: fees will apply until a current the Not for Profit registration certificate is supplied.
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### Hours and details of permitted operations

Weekday	Locations	Start time	Finish time	Activity	Equipment used
<b>Example</b>	<i>List council park name</i>	<i>1.30pm</i>	<i>3.30pm</i>	<i>Soup kitchen</i>	<i>1 x card table</i>
<b>Monday</b>					
<b>Tuesday</b>					
<b>Wednesday</b>					
<b>Thursday</b>					
<b>Friday</b>					
<b>Saturday</b>					
<b>Sunday</b>					

**Square Metre size requested (as per site plan)** \_\_\_\_\_ sqm

Description of items for sale	
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Description of processes and procedures of food handling (preparation and service)	
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Vehicle details	Car registration	Make	Model
	Trailer registration	Make	Model

Generator	Is a generator being used?	If yes, please provide details
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Select Mobile Food Licence type	<input type="checkbox"/> <b>Existing</b>	Food Licence No: _____ Attach copy of current Food Licence
	<input type="checkbox"/> <b>New</b>	Attach completed Mobile Food Business Application with floor plan and fees
	Selling food from a mobile van may require a food licence. Refer to council's website for more information on Mobile Food Licences.	

### Not for Profit Special Permit Conditions

**The Permit Holder:**

- Must ensure any money collection undertaken for charitable purposes is in full compliance with the requirements of the Office of Fair Trading and all associated legislation.

## 8. Other Commercial Activities Permit details

Is application for Other Commercial Activities?	<input type="checkbox"/> Yes – complete Item below in full
	<input type="checkbox"/> No – proceed to Item 9.

Proposed location (include a site map of the location, indicating the exact land area for the proposed activity).

A business plan must be included for how the business is proposed to be run on community land.

Must only conduct permitted activity between 5am to 7pm.

Maximum of 4-6 hours is permitted each day.

Maximum of 2-3 days is permitted each week.

### Hours and details of permitted operations

Weekday	Location	Start time	Finish time	Activity	Equipment used
<b>Example</b>	<i>List council park name</i>	<i>9.30am</i>	<i>1.30pm</i>	<i>Commercial activity</i>	<i>Equipment for Hire</i>
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Saturday					
Sunday					

Square Metre size requested (as per site plan) sqm

Description of items for sale			
Description of processes and procedures of food handling (preparation and service)			
Vehicle details	Car registration	Make	Model
	Trailer registration	Make	Model
Generator	Is a generator being used?	If yes, please provide details	
Select Mobile Food Licence type	<input type="checkbox"/> Existing	Food Licence No:	Attach copy of current Food Licence
	<input type="checkbox"/> New	Attach completed Mobile Food Business Application with floor plan and fees	
	Selling food from a mobile van may require a food licence. Refer to council's website for more information on Mobile Food Licences.		

## 9. Application checklist

### Additional requirements to be submitted with your application form:

- Certificate of Currency (Public Liability Insurance)
- Complete the Indemnity form attached to this application (page 8k)
- Provide the non-refundable application fees as per below charges
- Copy of relevant fitness industry qualifications (for Commercial Fitness Permit)
- Copy of either current Food Licence or completed Food Licence application (for Itinerant Food Vendor Permit)
- Copy of Business Plan (Low Use Other)
- Copy of Not for Profit registration (for Not for Profit Permit)
- Site plan indicating area to be used within location/s where activity will be undertaken (not required for Itinerant Food Vendor Permit)

Please ensure you thoroughly read through the conditions that may be imposed on a Permit (page 7). The conditions contain approved areas of operation or restricted areas.

### 10. Fees and charges

Commercial Fitness Permit application fee (non-refundable) (CR-CLP7695)	\$179.00
Itinerant Food Vendor Permit application fee (non-refundable) (CR-CLP7695)	\$179.00
Not for Profit Permit application fee (non-refundable)	\$0.00
Other Commercial Activities Permit application fee (non-refundable) (CR-CLP7696)	\$532.00

#### The following fees are payable prior to issue of permit

Annual fee per square metre (CR-CL11115)	\$32.00 per m <sup>2</sup>
Not for Profit annual fee per square metre	\$0.00 per m <sup>2</sup>

- Note:**
- Application fees are to be paid at the time of submitting an application. Any permit issued will be valid until 31 July each year.
  - Requests for an amendment to a permit will require a new application and may require payment of the application fee.
  - A renewal notice will be issued on expiry of a current permit.

Fees relating to activities falling within the Nambour Special Entertainment Precinct may be waived. This relates to both the primary and secondary buffer areas that can be viewed on council's website

### 11. Declaration of Applicant

I/We, the Applicant, declare that the above information is correct in all respects, at the time of lodgement of this application with the Sunshine Coast Council. Should any of the details given in relation to this application be changed in the future, the Applicant shall advise the Sunshine Coast Council in writing prior to any such change being implemented.

I/We, the Applicant, have read the conditions outlined within the application form and agree to abide by these conditions, and any other conditions considered appropriate in relation to the permitted activity.

I/We, the applicant, understand that Sunshine Coast Council use all provided contact details including email, phone calls and SMS for sending annual notices, reminders and verifying data. To opt out of all SMS and email contacts I/we must contact Sunshine Coast Council and specifically nominate to be excluded from emails or SMS.

Signature	Date
Signature	Date

### OFFICE USE ONLY

Application no.	Amount paid	Date paid	Receipt no.	Initial	Date stamp

### 10. Payment options

In person	Customer service centres: 8.30 am to 4.30 pm Monday to Friday (excludes public holidays).				
By mail	Cheque or money order to be made payable to: Sunshine Coast Council.				
	<input type="checkbox"/> Cheque	<input type="checkbox"/> Money order	<input type="checkbox"/> Mastercard	<input type="checkbox"/> Visa	
	Card number		Expiry date	Amount \$	
	Name on card		Signature of cardholder		
	Phone	Is a receipt required?		<input type="checkbox"/> Yes	<input type="checkbox"/> No

## Permit conditions

Issued under - *Subordinate Local Law 1 (Administration) 2011, Schedule 6 Commercial use of local government controlled areas and roads.*

The permit may be granted subject to the following conditions and any other conditions considered appropriate:

### Special Permit Conditions

#### The Permit Holder:

1. Must only conduct the permitted activity during the permitted hours of operation only using the approved equipment and in a manner that does not cause a nuisance. The use of council-controlled land outside of the permitted operating times is prohibited.
2. Must hold any necessary qualifications and/or equivalent accreditation to conduct the permitted activity, and ensure these remain current for the duration of the permit period.
3. Must ensure that the permitted activity is conducted in accordance with all relevant industry standards and meets all necessary safety requirements.
4. Must ensure the annual renewal fee associated with this permitted activity is paid in full to council by the required due date.
5. Must display this Permit when conducting the permitted activity on council controlled land.
6. Must not conduct the permitted activity using council assets including any playgrounds, picnic facilities, BBQ facilities, memorials, cemeteries, botanic gardens, public car parks, stairways, bollards, barriers and environmentally sensitive areas (including bushland, sand dunes, creek or river banks, areas undergoing revegetation or rehabilitation) without prior written consent from council.
7. Must only use the permitted vehicle for the permitted activity.
8. Must not use star pickets or any other ground piercing device on council controlled land at any time due to the presence of underground power, water supply and irrigation services. Witches' hats may be used to delineate boundaries and sand/water weights to be used for marquees and tents.

### Permit Conditions

#### The Permit Holder:

1. Must not seek to represent to any party that this Permit creates a right of tenure.
2. Must not seek to assign, transfer, sublet or mortgage.
3. Must not operate in the area set aside for any other council approved operations or activities such as to cause interference with those operations or activities.
4. Must not interfere with others using the council-controlled land or request others to move from the council-controlled land.
5. Must ensure that this Permit is used so that the community purpose of the land can be continued without undue interruption or obstruction.
6. Must ensure that the operation of the permitted activity does not detrimentally affect the amenity of neighbouring premises.
7. Must keep current throughout the duration of this Permit a Public Liability Insurance policy applying to the council-controlled land and the approved activity, with limits of not less than \$20,000,000 (\$20 million) per occurrence and noting Sunshine Coast Regional Council as an interested party.
8. Must only display advertising material for the permitted business and activity that is consistent with the requirements outlined in council's Moveable advertising devices information pack. The Permit holder must not display any other advertising signage or materials unless approved by council. All advertising devices must be removed from council-controlled land at the completion of each activity conducted.
9. Must ensure that the operation of the permitted activity does not constitute a risk to road or pedestrian safety.
10. Must ensure that the operation of the permitted activity, including all vehicles and equipment, is maintained at all times, including being:
  - a. In good working order
  - b. In a good state of repair
  - c. In a clean and sanitary condition
11. Must not use amplified noise as part of the operation of the permitted activity.
12. Must not release contaminants into the environment as part of the operation of the permitted activity where the release may cause environmental harm unless such release is specifically authorised by the *Environmental Protection Act 1994*.
13. Must provide waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the permitted activity and removed daily, and ensure no waste is disposed of in any council provided rubbish collection bins on council-controlled land.
14. Must not interfere with any vegetation including affix, fasten or screw anything to any vegetation or council property.
15. Must not use lighting to illuminate any part of the permitted location.
16. Must ensure that no animal is within the permitted location unless approved by council.
17. Must ensure operations are in accordance with the *Work Health and Safety Act 2011*, and in particular:
  - a) Must act in a manner that does not endanger the health or safety of any other person using council-controlled land
  - b) Must carry out a safety direction that is given to the Permit Holder by council or another authorised officer
  - c) Must not wilfully or recklessly interfere with anything provided in the interest of health and safety at the permitted location
18. Must not carry out any building works in relation to the permitted activity.
19. Must notify council in writing within 3 days of a relevant approval for the permitted activity under another Act being suspended or cancelled.
20. Must not use motor vehicles and/or trailers on council-controlled land, without prior written consent from council.
21. Accepts that from time to time the permitted location may be unavailable to the Permit Holder due to acts of God, maintenance or temporary events. The Permit Holder will not be compensated by council in any way.
22. Accepts that any loss or damage to any of the Permit Holder's equipment is the Permit Holder's responsibility and council will not be held responsible. All equipment, chattels and the like remain the sole risk of the Permit Holder at all times.

### Other Legal Obligations

#### The Permit Holder is reminded of the following legal obligations:

1. The Permit holder must comply with all provisions of council's local laws or subordinate local laws relevant to the permitted location and permitted activity under this permit.
2. The Permit holder should be aware that pursuant to the Land Act 1994, council or the Minister must provide twenty-eight (28) days of notice of its intention to cancel this Permit.
3. The Permit holder should acknowledge that pursuant to the Land Act 1994, this Permit does not give or imply any right of renewal.
4. The Permit holder is responsible for ensuring that the operation of the permitted activity complies with all relevant legislation and any development approval, planning scheme or planning scheme policy including but not limited to the *Food Act 2006*.

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## DEED OF INDEMNITY

THIS DEED is given the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

By \_\_\_\_\_ (Name of applicant)

Called "the Indemnifier"

Of \_\_\_\_\_ (Address)

To the **SUNSHINE COAST REGIONAL COUNCIL** (hereinafter called "**COUNCIL**").

**WHEREAS** the Indemnifier has applied to the Council for authority to use an area of Council controlled land.

**NOW THIS DEED WITNESS** that in consideration of the Council granting the Indemnifier authority to use Council controlled land, the Indemnifier agrees to take out and keep current during the period of authority a public liability insurance policy in a form approved by Council in the name of the Indemnifier insuring, for a sum no less than twenty million dollars, the Indemnifier against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against the Indemnifier arising out of or in relation to the Indemnifier's activity and or use of Council controlled land. The public liability insurance policy must extend to cover the Council in respect to claims for personal injury or property damage arising out of the negligence of the Indemnifier.

The Indemnifier hereby indemnifies and keep indemnified and to hold harmless the Council, it's servants and agents and each of them from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the Indemnifier's activity and or use of Council controlled land. The Indemnifier's liability to indemnify the Council shall be reduced proportionally to the extent that any act or omission of the Council, its servants or agents, contributed to the loss or liability.

### EXECUTED AS A DEED POLL by THE INDEMNIFIER

Signature \_\_\_\_\_

Signature of Witness

\_\_\_\_\_

Name of Witness \_\_\_\_\_

OR

EXECUTED BY

\_\_\_\_\_

In accordance with Section 127 of the Corporations Act

Director \_\_\_\_\_

Director / Secretary \_\_\_\_\_

#### Privacy

Council will use any personal information provided for the intended purpose only and for remaining in contact with you. Council is authorised to collect this information in accordance with the *Local Government Act 2009* and other Local Government Acts. Your personal information is only accessed by persons authorised to do so. Council may provide information about you to any relevant Queensland State Department. Your personal information is dealt with in accordance with council's privacy policy.

[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au) | [mail@sunshinecoast.qld.gov.au](mailto:mail@sunshinecoast.qld.gov.au) | T 07 5475 7272

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