

**CASSOWARY COAST REGIONAL COUNCIL**

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Email: [enquiries@cassowarycoast.qld.gov.au](mailto:enquiries@cassowarycoast.qld.gov.au)**Approved Form 4.8 General Activities (Footpath Dining)****Applicable Law:***Cassowary Coast Regional Council Local Law No. 1 (Administration) 2022**Cassowary Coast Regional Council Local Law No. 4 (Local Government Controlled Areas and Roads) 2022**Cassowary Coast Regional Council Subordinate Local Law No. 4 (Local Government Controlled Areas and Roads) 2022***Your Application will not be properly made unless the Approved Form 1.7: Application to Council (What I Want) is attached**

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

**Council Reference:**  
*(Permit application number)*

OD \_ \_ \_

**Property site plans:****Site plans:****Please attach a detailed site plan showing a layout of the activity including:**

- Property address (street address or Lot on Plan) with road names adjacent to the area
- Indicate on the plan exactly where the activities will occur
- Pedestrian walkways , entry and exit points
- Table locations and dimensions

**Footpath Dining:****Number of tables:**
**Max number of customers you expect to use the footpath for dining:**  
*(at any one time)*
**What furniture and/or equipment do you intend to use on the footpath?**

*Please provide a detailed description, and attach a plan showing the numbers of and where the furniture and equipment is to be located.*

**Will alcohol be sold from the premises**
 Yes  No

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

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

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

**Prescribed Fees 2024-2025:****Footpath Dining - Application and Permit - plus per table fee****\$ 162.00****Footpath Dining - per table****\$ 22.00**

**Customer Acknowledgement / Declaration:**

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

PRINT NAME..... SIGNATURE..... DATE.....

**Information Privacy Statement:**

Your personal information has been collected for the purpose of assessing your Application for a Permit. The collection of your information is authorised under the *Local Government Act 2009*. You are providing personal information which will be used for the purpose of delivering services and carrying out Council business. Your personal information is handled in accordance with the *Information Privacy Act 2009* and will be accessed by persons who have been authorised to do so. Your information will not be given to any other person or agency unless you have given Council permission or the disclosure is required by law.

<b>OFFICE USE ONLY: Application Creation: PLUS → PrescrbAct → CUODD</b>			
<b>Application Number:</b>	<b>OD</b> ___ ___ ___	<b>Date:</b>	___/___/___
<b>Receipt No.:</b>		<b>Admin Initials:</b>	

**Criteria for assessment of application**

**General Criteria under Local Law No. 1 (Administration) 2022**

Council must assess your application against the general criteria:

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

## Criteria for assessment of application (continued)

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

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

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