

2019 – 2022 High-use / High-impact Commercial Use of Community Land

Information pack for Permit Application 4.4
Shaved ice and drink sales Mooloolaba Beach

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Acknowledgements

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stakeholders involved in the development of this
document.

Disclaimer

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Overview

This information pack contains the following information and documents to assist with making an application for Permit 4.4 – Shaved Ice and Cold Drinks Sales at Mooloolaba Beach:

- Useful contacts
- Related legislation
- Tips for submitting a permit application
- Location map/s
- Special Permit conditions
- Standard Permit conditions
- Application form
- Timeline for application process and permit approval
- Prior to submitting your application
- Submission of applications

1: Important information

This application is subject to a non-refundable fee of \$566 payable at the time of lodgement.

The annual fees, should your application be successful is \$97 per square meter of land occupied. Based on 5 square meters the annual fee for this permit is \$485. This may be subject to a discount of 50% if the permit is operated for 6 hours per day or less.

Please note the land size is negotiable should your application be successful.

2: Application

Please ensure you complete all the required fields and attached all required supporting documentation with your application. **Incomplete applications may result in your application being excluded from the assessment process.**

If you require further assistance with completing this application please refer to the list of 'Useful contacts' in this information pack.

3: Permit

If you are successful the permit will be current to 30 June 2022. The annual fee for this permit will be payable for each year the permit is valid.

4: Useful contacts

As Council officers will be undertaking the assessment of all received applications and making a recommendation to Council regarding the awarding of permits to successful applicants, Council officers are unable to provide advice on how to respond to the questions in the application (other than the detail provided in the information pack).

Should you require assistance completing the application, the following agencies / professional services may be able to provide assistance:

- Financial Advisor/Institution
- Peak body and/or Association
- Small Business Solutions Queensland
- Solicitor

5: Related legislation

During the assessment of applications Council may consider all relevant legislation in making the decision. This includes, but is not limited to:

- Council's local laws
- Environmental Protection Act 1994
- Land Act 1994
- Land Regulation 2009
- Local Government Act 2009
- Recreation Areas Management Act 2006
- Transport Infrastructure (Waterways Management) Regulation 2012
- Transport Operations (Marine Safety) Regulation 2004
- Work Health and Safety Act 2011

6: Tips for submitting a permit application

Notice under Local Law No. 1 (Administration 2011), section 8:

In addition to a completed application form and payment of the relevant fee, to allow Council to conduct a thorough assessment of your application against the discretionary matters listed in the local law together with the guiding principles of Council's Community Land and Complementary Commercial Activity Policy you are required to submit a:

- covering letter
- detailed response to the selection criteria (contained in this document) and
- any relevant supporting documentation.

When submitting a permit application be sure to:

- complete all the required fields within the application form
- attach your cover letter
- attach your response to the selection criteria
- attach any relevant supporting documentation such as copies of certificates, qualifications, references and photographs.

Your selection criteria responses should be carefully considered and outline your most recent experiences.

The following may assist with your responses:

- Identify and study each criterion very carefully. Note the language used and the specific areas the question covers to ensure you remain on topic.
- For each criterion, delve into your career history and provide an example that demonstrates the particular skill/experience that you are being asked for.
- Try to use examples that are complete and that you actually did. (i.e. something that went from start to finish with a definable result).
- The information in your application needs to be up to date. Make sure that you're listing the correct dates of qualifications etc.
- Ensure that you do not go over the recommended length for each criterion.
- There are no extra points for submitting an application early – so take your time and ensure you have completed all the requirements of the application.
- Before submitting your application it is a good idea to get a trusted friend or colleague to check your application to ensure you have included all of the required information.

The **CAR technique** might assist with developing your responses.

Context - What was it and what did you have to do? (Set the scene)

Action - What did you do and how did you do it?

Result - What was the result of your actions?

Example response

An example response to the "Training and skills" of Selection criteria 1: Professionalism. You may choose to structure your response as follows.

Selection Criteria 1: Training and skills:

As an active member of the Australian Basketball Association, it is imperative that my training and skills are current and up to date.

In November 2018, I completed accreditation in a Certificate V in Advanced Coaching through the National Basketball Association in Canberra. To successfully complete this certificate, I was required to attend a 3 day course, with 80% theory and 20% practical, and be able to successfully demonstrate my coaching abilities to a panel of National and International Coaches. I completed my certificate with a high distinction and an honourable mention from Tom Bailey, the former Head Coach of the Australian Alligators.

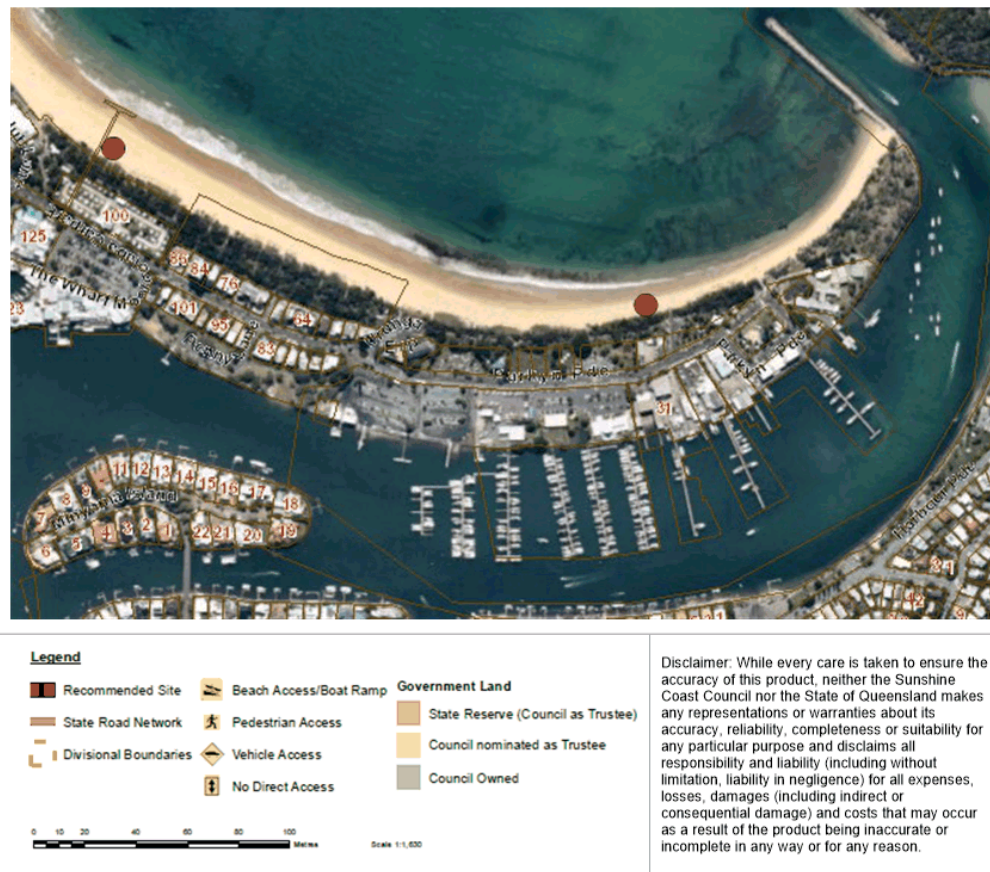
I also hold a current First Aid certificate and a Blue Card to work with children, which I correspondingly updated in November 2018.

I have been a Basketball Coach for over 25 years, and in June 2018, I represented the Under 16's Queensland State Team as the Head Coach. With my high level of experience and qualifications, and a brilliant reputation within the community, I believe that I would be a great candidate to receive a permit to conduct Basketball Coaching Clinics in local parks across the Sunshine Coast region.

I have attached a copy of my Certificate V, honourable mention from Tom Bailey, First Aid Certificate and Blue Card to work with children for your perusal

7: Location map

Location map for Permit 4.4 – Shaved ice and cold drink sales at Mooloolaba Beach, between beach accesses 181 to 194



8: Permit Conditions

Pursuant to section 10 of Local Law No. 1 (Administration) 2011, this permit will be granted to the successful applicant subject to the following conditions, and any other conditions considered appropriate in relation to the permitted activity:

Non-standard permit conditions

The Permit Holder:

1. Must only perform the permitted activity, from the permitted location, at Mooloolaba Beach, between beach accesses 181 to 194, using the beach access adjacent to Fishermans Park to gain access to the beach.
2. Must only operate between the hours of 7:00am and 7:00pm daily for a **maximum of X hours per day**. The use of Council-controlled land outside of the permitted operating times is prohibited.
Note: Hours of operation will be confirmed with the successful applicant
3. 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.
4. Must ensure that the permitted activity is conducted in accordance with all relevant industry standards and meets all necessary safety requirements.
5. Must only use the permitted vehicle and trailer for the permitted activity.
6. Must not use other motor vehicles and/or trailers on Council-controlled land, without prior written consent from Council.
7. Must not use any dairy products in the preparation of shaved ice products/drinks.
8. Must only use the permitted land size, with all equipment to be removed from Council-controlled land, including car parks, at the end of each tour. Storage of equipment overnight is prohibited.
9. Must ensure the annual fee associated with this permitted activity is paid in full to Council by the required due date
10. Must provide to Council on the 1st day of each month a register of activity undertaken, including dates, times and number of scheduled activities taking place.
11. Must not seek to represent to any party that this Permit creates a right of tenure.
12. Must not seek to assign, transfer, sublet or mortgage without prior written consent from Council.
13. 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.
14. Must ensure that this Permit is used so that the community purpose of the land can be continued without undue interruption or obstruction.
15. Must ensure that the operation of the permitted activity does not detrimentally affect the amenity of neighbouring premises.
16. 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.
17. Must ensure that the display of advertising devices complies with Council's local laws.
18. Must ensure that the operation of the permitted activity does not:
 - a. Create a traffic problem or increase an existing traffic problem
 - b. Detrimentally affect the efficiency of the existing road network
19. Must ensure that the operation of the permitted activity does not constitute a risk to road or pedestrian safety.
20. 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
21. Must not use amplified noise as part of the operation of the permitted activity.
22. Must not undertake the maintenance or cleaning of motors or other equipment within the permitted location, or any other Council-controlled land.

23. 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*.
24. 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.
25. Must not use lighting to illuminate any part of the permitted location.
26. 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
27. Must ensure that the operation of the permitted activity is limited to the permitted location only.
28. Must not carry out any building works in relation to the permitted activity.
29. Must notify Council in writing within 3 days of a relevant approval for the permitted activity under another Act being suspended or cancelled.
30. Must not use public car parks at any time, for any activity, without prior written consent from Council.
31. 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.
32. Must ensure that the permitted activity does not occur on any dunal areas at any time, whatsoever.
33. Must publicly make available a contact telephone number and have this staffed to enable communication between a complainant and the Permit Holder. All calls received and subsequent actions taken must:
 - a. Be recorded on a complaints register, including the time of the call, caller details, complainant concern, the name of the staff member who dealt with the call and action/s taken
 - b. Maintain the complaints register for the life of this Permit
 - c. Make this register available to Council within 7 days of a written request

Other legal obligations

The Permit Holder is reminded of the following legal obligations:

34. 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.
35. 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.
36. The Permit holder should acknowledge that pursuant to the *Land Act 1994*, this Permit does not give or imply any right of renewal.
37. 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.

9: Application form



2019 High-use/High-impact Commercial Use of Community Land
 Application form for Permit 4.4

1. Applicant details		
Permit holder		
Corporation, business or incorporated association	ABN	
Applicant name/s*		
Contact 1		
Surname	Given names	
Postal address	Date of birth	
Email	Phone	
Contact 2		
Surname	Given names	
Postal address	Date of birth	
Email	Phone	

*Please attach an additional sheet if there are more than two applicants.

2. Business details		
Business trading name		
Postal address		
Preferred contact person		
Business phone	Alternate phone	Mobile
Email		

3. Public Liability Insurance		
Do you currently hold Public Liability Insurance for a minimum of \$20 million (\$20,000,000) covering the permitted activity?	<input type="checkbox"/> Yes <input type="checkbox"/> No	* Expiry date
* Certificate Number		

4. Location requirements		
Land size required (in square metres)		
Outline the land size you intend to use if more than or less than 18 square metres.	sqm	
Will you need to store equipment on Council controlled land?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	* How do you intend to store this? (i.e. vehicle, trailer) Please provide photographs. * How many square metres will this use? sqm
Note: Storage of equipment on Council-controlled land during permitted operating times will be considered on a case by case basis. Additional fees may apply.		
Will there be a requirement for a reserved carpark?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	* Provide details outlining the car park location including a map and photographs.
Note: Access to public car parks during permitted operating times will be considered on a case by case basis. Additional fees may apply.		

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. Your personal information is dealt with in accordance with council's privacy policy.

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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

5. Operating details			
Planned days and hours of operation <i>Outline the days and hours of operating if less than 7 days per week, 7am to 7pm.</i>			
Proposed Equipment <i>List the equipment you intend to have available for hire, i.e. number of boards age/condition of equipment etc. Please attach photographs.</i>			
Do you intend to display advertising? <i>If yes, please provide details and attach photographs.</i>			
Note: Display of advertising devices must be in accordance with Council's local laws			
6. Vehicle details			
Will your vehicle require access to Council-controlled land?		<input type="checkbox"/> Yes*	<i>* List the vehicles and/or trailers you intend to use in table below. Please attach photographs.</i>
		<input type="checkbox"/> No	
Vehicle			
Vehicle Make and Model			
Year		Colour	
Registration Number		Expiry	
Trailer			
Trailer size			
Year		Colour	
Registration Number		Expiry	
Note: Request for vehicle access to Council-controlled land during permitted operating times will be considered on a case-by-case basis. Additional fees may apply.			
7. Submission Checklist			
<input type="checkbox"/> Complete all applicable fields in the application form			
<input type="checkbox"/> Provide a copy of Certificate of Currency (Public Liability Insurance) for a minimum \$20 million (\$20,000,000) noting Sunshine Coast Regional Council as an interested party against any claims and cover the situation occupied by the High-use / High-impact activity			
<input type="checkbox"/> Provide a cover letter (of no more than 1 page)			
<input type="checkbox"/> Provide a response to the selection criteria outlined in the 2019 High-use / High-impact Commercial Use of Community Land Information Pack (of no more than 1 page per selection criteria and no more than 4 pages in total)			
<input type="checkbox"/> Provide copies of all supporting documentation, including current certification and qualifications (if applicable), recent referees (from the last 12 months and a maximum of two (2)) and photographs of equipment and vehicles			
<input type="checkbox"/> Provide the non-refundable application fee as per Council's adopted fees and charges			
Note: Permits will be valid from 30 June 2022			

8. Declaration

- 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, I/we shall advise the Sunshine Coast Council in writing prior to any such change being implemented.
- I/We, the applicant, have read the permit conditions outlined in the 'Special permit conditions' and 'Standard permit conditions' table contained in the '2019 High-use / High-impact Commercial Use of Community Land Information Pack' and agree to abide by these conditions, any other conditions considered appropriate in relation to the permitted activity, and all relevant legislation relating to commercial use of public land and the activity I/We propose to undertake.
- I/We, the applicant, agree that if successful I/we will pay the High-use / High-impact Commercial Use of Community Land Council adopted fees and charges.
- I/We, the applicant, agree that if successful I/we will commence operation of business at the assigned location no later than *DATE*, unless extenuating circumstances prevent this. Should this occur Council requires written notification requesting an extension of commencement date.
- I/We, the applicant understand that this permit cannot be assigned, transferred, sublet or mortgaged.
- I/We, the applicant, declare that I/we have reviewed the above information and completed all the items on the submission checklist.
- I/We, the applicant understand that the application fee of \$566.00 is non-refundable.
- I/We, the applicant understand that if I/we fail to complete the application in its entirety, fail to provide the required documentation as specified in the application or fail to meet the mandatory requirements for the permit application, this may result in your application being excluded from the assessment process.

Name	Signature	Date
Name	Signature	Date

Fees and charges

Application fee (non-refundable)	\$566.00
Annual fee (payable only if successful and not at the time of application) – per square metre	\$97.00

OFFICE USE ONLY

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

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 Regional 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

10: Cover letter

Please provide a covering letter for your application, outlining the location and activity you wish to apply for and your reasons why.

This page has been left blank to allow you to write your cover letter for your application. Please feel free to attach a typed cover letter of no more than 1 page.

11: Selection Criteria

Your application must include a written response highlighting your ability to meet the 4 selection criteria. Your response should be no more than 1 page per criteria and no more than 4 pages in total. When responding to the selection criteria, be sure to use examples relevant to the assessment criteria and the activity outlined in the permit application.

Selection Criteria 1: Professionalism

Description
Professionalism
<ul style="list-style-type: none">Outline your professional track record, and any previous experience you have had operating a business.What training and skills have you obtained over the last two years to contribute to the success of your business?Outline your current qualifications, and any memberships you hold with affiliated associations, or peak bodies associated with your business.Provide a time when you introduced an innovative idea into the operation of your business.

Selection Criteria 2: Quality of Equipment

Description
Quality of Equipment
<ul style="list-style-type: none">Outline the current standard of the equipment you intend to use when operating your business on Council-controlled land.What will you do to ensure that your equipment is maintained at all times, and is in good working order? What will be your replacement cycle?

Selection Criteria 3: Safety

Description
Safety
<ul style="list-style-type: none">Outline your general management approach to the workplace, including the health and safety of your employees.What will you do to ensure that your business is operating in line with, or above industry standards, taking into account local conditions, and/or changing weather?

Selection Criteria 4: Community

Description
Community
<ul style="list-style-type: none">In the past, what has been your level of contribution to the local community? What will you do to contribute to the local community if your application is successful?What is your involvement in industry associations?How do you propose to promote tourism and ensure the Sunshine Coast is a great place to visit?How do you propose to support local business and local employment on the Sunshine Coast?

Selection criteria 1: Professionalism

This page has been left blank to allow you to write a response to Selection criteria 1: Professionalism. Please feel free to attach a typed response of no more than 1 page.

12: Timeline for the application process

The table below outlines the timeline for the application process and appointment of the successful permits.

Timeline	
16 November 2020	Application process opens and is advertised.
11 December 2020	Applications will close on Friday 11 December 2020 and officer assessments will be completed.
12 December 2021 to 15 January 2021	Council officers assess applications, and circulate the successful applicant to stakeholders for final feedback and conditioning
18 January 2021 to 22 January 2021	Council officers to issue permits and notify all applicants of the outcome. Successful applicants commence trading within 3 months of the permit being issued.

13: Submission of Applications

Prior to submitting your application please ensure you have:

- Fully completed the High-use / High-impact Commercial Use of Community Land 2019 Application including:
 - Read, understood and agreed to the declaration
 - Completed or attached a response to the selection criteria as outlined
 - Attached all required documentation (ensuring certificates are certified copies) and photographs as outlined
- Completed or attached a cover letter

Fully completed applications (including payment) must be returned to Council **by close of business 11 December 2020**. Email is the preferable method of return.

Applications can be submitted using one of the following options:

- Email via landpermits@sunshinecoast.qld.gov.au
- In person at one of Council's customer contact centres
 - Caloundra Office – 1 Omrah Avenue, Caloundra QLD 4551
 - Maroochydore Office – 10 First Avenue, Maroochydore QLD 4558
 - Nambour Office – Cnr Currie and Bury Streets, Nambour QLD 4560
- Post
 - Locked Bag 72, Sunshine Coast Mail Centre QLD 4560



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Locked Bag 72 Sunshine Coast Mail Centre Qld 4560