

PLANNING & ENVIRONMENT COMMITTEE 11 AUGUST 2010	5
--	----------

ROADSIDE VENDING RENEWAL APPLICATION – PALM COVE JETTY,
WILLIAMS ESPLANADE, PALM COVE – DIVISION 10

Stuart Pollett : 1/11/4-21: #2658296

RECOMMENDATION:

That Council approve the renewal application to conduct Roadside Vending at Palm Cove Jetty, Williams Esp, Palm Cove, subject to the conditions listed in the report.

INTRODUCTION:

A renewal application has been received seeking Council approval to conduct Roadside Vending at a proposed location at Palm Cove Jetty, Williams Esp, Palm Cove. The proposed Roadside Vending activity fits into the category of hot dog vendors. The applicant proposes to operate from a mobile van fitted out with fridges and freezers. Public toilets are to be used as an amenity location with a relief person in place.

BACKGROUND:

At an ordinary meeting held 30 October 2003, Council adopted a Roadside Vending Policy to apply to Roadside Vending Activities carried out on all Council and State Controlled Roads within the Cairns City Council area. Further amendments were made to the subject policy at an Ordinary Meeting held 30 June 2005.

In accordance with the Roadside Vending Policy No. 1:03:10 all roadside vending renewal applications applied for under Local Law No. 22 (Activities on Roads) will be reviewed by Council every four (4) years.

COMMENTS:

This approval has been operating for the last four (4) years and in accordance with Council Policy. The application is required to be considered by Council. This operation has been carried out in accordance with the conditions of approval, and no formal complaints have been received over the past four (4) years.

CONSIDERATIONS:

Corporate and Operational Plans:

N/A

Statutory:

Local Law No. 22 (Activities on Roads)

Policy:

General Policy – Roadside Vending Policy No. 1:03:10

Financial:

Permit fees apply

Sustainability:

N/A

CONDITIONS:

1. Council approve the renewal application submitted by Hotdog Cove to operate a hot dog van subject to the conditions listed below:
 - This approval is for the sale of hotdogs, pies, drinks, ice-cream, bait and packaged snacks only from the subject location.
 - This approval is for one (1) vehicle only – Mobile Van. The vehicle must be kept in a roadworthy condition at all times.
 - The vehicle used in the operation of roadside vending activities shall be parked and shall remain at all times in the position as indicated on the approved site plan.
 - This permit allows for roadside vending activities to be conducted between the hours of 6:00am to 6:00pm, Monday to Sunday weekly.
 - The enclosed Roadside Vending Certificate is to be displayed at all times whilst the subject activity is being conducted.
 - A copy of the approval conditions and approved site plan shall be kept on site at all times and shall be produced to an Authorised Council Officer upon request.
 - Advertising material is to be limited to one A-Frame sign (900mm high x 600mm wide) only. Illuminated signage and amplified advertising devices are not permitted at the roadside vending site.

- Please Note: All 'specials & prices' advertisements are not to be visible from the roadway.
- Details of any amendments to the approved plan including a change of vehicle shall be submitted for the approval of Council.
- All permitted roadside vending activities must be consistent with the Regulation and Standards of the Workplace Health & Safety Act.
- The roadside vending activity must not have any adverse effect on the existing vegetation and landscaping of the area or the environment.
- The roadside vending activity must not cause a nuisance to any person or a danger to any person or property.
- The holder of this approval must provide and maintain sufficient receptacles for refuse and thoroughly clean and remove all material associated with the roadside vending activity at the conclusion of business each day.
- No structures are to be erected at the vending site.
- Appropriate arrangements for toilet arrangements, as agreed, are to be in place at all times.
- A Public Liability Insurance Policy for the subject premises to the value of ten million dollars (\$10,000,000.00) shall be kept in force for the whole of the period that the permit covers, and shall include the Cairns Regional Council, the Minister Administering the Land Act 1994 and the State of Queensland as interested parties.
- Council reserves the right to amend any conditions of this permit, subject to notification to the permit holder, at any such time it is deemed necessary.
- This permit is at Council's discretion and may be revoked at any time either partially or fully.
- Annual Roadside Vending Fees must be paid by the due date outlined on the invoice.
- This permit expires on 30 June 2011.

CONCLUSION:

It is considered that Council approve the renewal application subject to the recommended conditions.

ATTACHMENTS:

1. Locality Plan

STUART POLLETT
Local Laws Compliance Officer

LAURIE PHIPPS
Manager Environmental Assessment

