



## **COMMERCIAL ACTIVITIES ON COUNCIL OWNED OR MANAGED LAND ANNUAL LICENCE APPLICATION FORM**

### **When to use this form**

This application form is for business applicants who wish to conduct a regular commercial activity on public land.

Applicants are encouraged to discuss your commercial activity with a Council officer as there are restrictions on locations and types of activities permitted. This initial discussion can help to streamline your application process.

### **Fees and Charges**

A non-refundable Application Fee is payable when this application is lodged. If successful, the Annual Licence Fee (issued for 12 months from 1 July to 30 June) is payable. Please consult the KSC Fees & Charges, section 14.

Any commercial activity proposed for public space may require an additional approval from Crown Lands or Native Title Assessment. If this is necessary, an additional fee and application may be required.

### **How to Lodge this Form**

All applicants are encouraged to complete this form online. If you are unable to lodge online then a paper copy of the Application Form can be submitted in person to the Customer Service office at 22 Tozer St West Kempsey.

### **For more information**

For more information about making this application contact Kempsey Shire Council on 6566 3200.

## **APPLICANT DETAILS**

**Business Name:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_

**Lodgement Date:** \_\_\_\_\_

**Privacy Statement:** Council collects and holds personal information for a number of reasons related to Council business eg to process applications, to issue rates notices, to process correspondence. When you provide personal information to Council it is used in accordance with privacy laws applicable to Council. Your personal information will only be used for purposes related to the business of Council.

**SECTION 1 – BUSINESS DETAILS**

Name of Business \_\_\_\_\_

ABN \_\_\_\_\_

Name of Operator \_\_\_\_\_

Postal Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Email \_\_\_\_\_

Vehicle Registration No \_\_\_\_\_

Make/Model/Colour of Vehicle \_\_\_\_\_

Describe how equipment will be transported to/from the site \_\_\_\_\_

**SECTION 2 – COMMERCIAL ACTIVITY DETAILS**

Select the type of commercial activity you are applying to conduct

- Beach or water operators, tours and classes
- Learn to swim/run/multisport classes
- Hire of recreational equipment
- Tourism tour operators or visitor attractions
- Semi-permanent food or mobile food vendors
- Commercial fitness groups and personal trainers

Please describe the proposed commercial activity.

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### SECTION 3 – CREDENTIALS

Please outline your credentials for undertaking the proposed commercial activity eg. accreditation, training, experience etc.

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#### Please attach copies of relevant documents:

Industry accreditation/qualifications (if applicable).

- Senior First Aid Certificate
- License/permits for equipment and or vehicles if applicable
- Working with Children Check if applicable
- Food Health and safety check in compliance with the Food Act 2003 (if applicable)
- A registered Australian Business Number (ABN) holder
- A National Parks Wildlife Service Parks Eco Pass if you are travelling through or part of your activity is in National Parks
- Other relevant documents

If you are applying for a Surf School Licence, please refer to the specific conditions attached at **Appendix A**.

If you are applying for a Food Van License, please refer to the specific conditions attached at **Appendix B**.

### SECTION 4 – SITE PLAN & LOCATION OF PROPOSED ACTIVITY

- Please attach a site plan and any photos of the proposed activity

You can refer to our website for plans of outdoor spaces throughout the Shire. These plans also indicate if the proposed site is on Crown Land. If this is the case, then an additional application may be required. Please discuss this with a Council Officer prior to completing the application form.

Describe the location where the proposed activity will take place.

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Are there any other businesses operating in this location or within 300 metres of this location?

Yes  No

If you answered **YES** what will be the impact of your proposed commercial activity on capacity at that location and your competitor/s ?

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### **SECTION 5 – LICENCE PERIOD PROPOSED DAYS & HOURS OF OPERATION**

Date of Application \_\_\_\_\_

Have you applied for a Licence previously?  Yes  No

The Annual Licence is issued each July to June.

Please detail the days and times you will operate the activity and the hours of operation.

MONDAY \_\_\_\_\_

TUESDAY \_\_\_\_\_

WEDNESDAY \_\_\_\_\_

THURSDAY \_\_\_\_\_

FRIDAY \_\_\_\_\_

SATURDAY \_\_\_\_\_

SUNDAY \_\_\_\_\_

If applicable, what is the maximum number of people involved in the activity (per session) or please provide an indication of likely customer numbers per annum?

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### **SECTION 6 – LIKELY ENVIRONMENTAL IMPACTS OF THE ACTIVITY**

Please outline the likely environmental impact of the proposed activity and any proposed steps to avoid, minimise or manage any adverse impacts on the location and the neighbourhood.

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Please provide details on:

Arrangements for transport and pedestrian movements.

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Loading and unloading of goods.

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Frequency of vehicle movements and size.

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Car parking spaces occupied (no car spaces are reserved for Licence Holders).

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Noise control.

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Complaints management.

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Attach additional information if insufficient space above.

## **SECTION 7 – RISK ASSESSMENT**

Please complete a risk assessment of the proposed activity.

Attach a copy of your  Attach a copy of your risk assessment

Follow [this link](#) to get a template for a risk assessment online.

## **SECTION 8 – EMERGENCY MANAGEMENT PLAN**

A good emergency management plan protects your livelihood by preparing you to adequately manage emergencies and protect people under your care and for unexpected disruptions to your business.

- Attach a copy of your Emergency Management Plan

Follow [this link](#) to get a template for an emergency management plan.

## **SECTION 9 – INSURANCE DETAILS**

- Attach your Insurance Certificate of Currency showing a minimum Public Liability \$20 million cover for each and every claim with Kempsey Shire Council noted as an interested party.

If you are yet to obtain insurance for your proposed commercial activity, you will be required to submit your Certificate of Currency prior to the commencement of the Licence (if approved).

## **SECTION 10 – SIGNAGE**

The Licence Holder cannot erect any permanent signs or advertising material (excluding **one** business promotional flag or banner) within the nominated public space. A-frame signs are not permitted. The promotional flag must not cause an obstruction to other users of the space.

Do you intend to use a business promotional flag?      YES      NO

## **SECTION 11 – FEES & CHARGES**

Refer to [Council's Fees and Charges document](#) on our website. The page that details Commercial Activities fees is page 40 – 41.

Applications sent back through to [business@kempsey.nsw.gov.au](mailto:business@kempsey.nsw.gov.au)

## **SECTION 12 – PERMITS**

All commercial operators must clearly identify themselves as Licence Holders by displaying the Licence issued and producing the Licence on request from an authorised representative of Council.

*Please note completion and lodgement of this application form and the associated fees does not imply approval to commence the activity.*

**SECTION 13 – SIGNATURE**

Signature of Business Owner \_\_\_\_\_ Date \_\_\_\_\_

Name/s \_\_\_\_\_

- I/we have completed all sections of this application form
- I/we acknowledge that it will be my/our responsibility to ensure all requirements and conditions are met
- I/we certify that all of the information contained in this application is correct and accurate

**OFFICE USE ONLY**

FEE DETAILS Receipt Code \_\_\_\_\_

DATE PAID \_\_\_\_\_ RECEIPT NO. \_\_\_\_\_ FEE \_\_\_\_\_

**REFER TO:**

- Property & Facilities for Crown Land and Native Title Assessment
- Economic Development & Tourism for Information
- Development & Compliance for Information
- Environmental Health for Food Authority Assessment
- Customer Service – For Information

Approval confirmation issued  YES  NO Date \_\_\_\_\_

## APPENDIX A

### SURF SCHOOLS

There are specific requirements for operators of a Surf School as outlined below.

### QUALIFICATIONS

- Minimum Level 1 Surfing Australia Surf Coaching Accreditation, or Academy of Surfing Instructor Surf Coaching Accreditation.
- All surfing coaches must be accredited by Surfing Australia or registered training organisation (RTO) and be members of SLNSW or Academy of Surfing Australia.
- Current Senior First Aid certificate
- Hold any one of the following:
  - SLSA Bronze Proficiency
  - Surf Rescue Certificate: SLSA Community Award
  - Royal Lifesaving Society (RLSS): Ocean Rescue Award
  - OSSCA Award professional Ocean Lifeguard Association (APOLA)
- NSW Working with Children Check

Please ensure you attached the above qualifications with your application.

### RISK & SAFETY (AND OPERATIONS) MANAGEMENT PLAN

All surfing instructors must be 16 years of age or over.

The following should be provided:

#### Equipment and clothing

- Soft surfboards for beginners, preferably with rubber fins
- All surfboards should have leg ropes
- Coloured rash vests should be worn by all students/participants in groups of six or more

#### Ratio of surfing instructors to students/participants

- Beginner instructor-to-student ratio of 1:8 or lower must be adhered to

#### Risk Management Protocol

The following equipment is to be provided with every class

- Portable first aid kits
- Mobile phone/two way radio
- Instructor's rescue board on beach
- Drinking water
- Sunscreen



## APPENDIX B

### FOOD VANS

There are specific requirements for operators of a Food Van as per outlined below.

#### OPERATIONAL PLAN OF MANAGEMENT

Dated \_\_\_\_\_ Prepared by: \_\_\_\_\_

Business Name \_\_\_\_\_

Owner \_\_\_\_\_

Operator (if different from owner) \_\_\_\_\_

Vehicle registration number \_\_\_\_\_

Type of food served \_\_\_\_\_

Vehicle registration number \_\_\_\_\_

Type of food served \_\_\_\_\_

Approved fix premises address \_\_\_\_\_

Premises certified/inspected by \_\_\_\_\_