



District Council of Loxton Waikerie

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Outdoor Dining Permit Application

(For the use of land in Council's care and control for outdoor dining purposes pursuant to Section 222 of the Local Govt Act, 1999)

A Certificate of Currency for Public Liability must be lodged with this application

Please lodge this form with the application fee payment of \$100.00

Please complete this form and return to District Council of Loxton Waikerie, PO Box 409 LOXTON SA 5333

Application type	New <input type="checkbox"/> Renewal <input type="checkbox"/> Transfer <input type="checkbox"/>							
Name of Applicant								
Contact Person								
Address of Applicant	(please advise if postal address is different from business address)						Postcode	
Email address								
Business phone		Mobile		Fax				
Are you applying for any changes or alterations to your existing Permit?	Yes <input type="checkbox"/> No <input type="checkbox"/> Contact the Regulatory Services team as soon as possible to discuss the changes. Be mindful all "approved" outdoor dining infrastructure should be listed on your Permit. Name and number the proposed changes							
Proposed location								
Number of chairs								
Number of tables								
Erection of structures/signage?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, you MUST advise the type of structure, size and its location. Damage to Council property, such as broken/damage irrigation and drainage will be charged to the event organisation.							
Operating times		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Opening Time								
Closing Time								
Public Liability Insurance (Please attach)	Yes <input type="checkbox"/> No <input type="checkbox"/> The permit holder MUST provide a copy of their current public liability insurance policy which covers the event to the minimum level of \$20million per claim. This is a compulsory requirement.							
Will alcoholic beverages be served?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, do you have the necessary license? Yes <input type="checkbox"/> No <input type="checkbox"/>							
Do you have any other requirements?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please list below							

A well prepared and completed application will usually assist in prompt processing

WHAT NEEDS TO BE LODGED WITH THE APPLICATION:

- The Application Fee of \$100.00 for a 5 year Permit.
- A plan (1:100d Scale) showing the precise location of the proposed articles(s)/retail goods on footpath in relation to the business premises, street furniture and the dimension of the area maintained for public access.
- Your diagram should show the outdoor area to be used (boundaries, dimensions etc), the number of chairs and tables, number of goods or structures, (including all temporary elements eg: bollards, planters, fencing), style and finish of furniture or display structures (photographs help), and location in relation to existing sandwich boards, street furniture etc.
- The applicant must maintain a Public Liability Insurance Policy for a minimum of twenty million dollars (\$20,000,000.00) with the interests of the District Council of Loxton Waikerie noted on the policy against accident, injury or damage resulting from or incidental to the conduct of the applicant’s activity on Council’s land and the subject of this application. Proof of this insurance (Certificate of Currency) must be provided to Council with the lodgement of this application and annually if approved.
- Details of trading hours.

CONDITIONS OF PERMIT

The issuing of this Permit is subject to:

- a) The Applicant agreeing to the General Conditions of Permit as contained herein;
- b) The Applicant agreeing to any/all Special Conditions that the Council may determine and attach to this Permit;
- c) The Applicant paying the prescribed fee.
- d) The Applicant providing to the Council evidence of all appropriate insurances as required by the General Conditions and/or the Special Conditions of Permit.

General Conditions of Permit:

The Applicant further agrees:

1. For the 5 year term of the Permit, to comply with all applicable industry standards, health or safety standards, current standards of Standards Australia or any applicable Codes of Practice.
2. To ensure that all works carried out are undertaken to the highest standard and are carried out promptly and with all due care, skill and diligence.
3. To ensure that any alteration to the footpath does not interfere with or cause damage to or in any way affect the property of any other person.
4. To comply with any direction given by any authority, statutory authority or Council to remove, maintain or otherwise modify the alteration to the footpath subject to this Permit.
5. That all fixtures and equipment erected or installed in, on, across, under or over the footpath remain the property of the Applicant pursuant to Section 209 of the Local Government Act, 1999.
6. For the term of the Permit, to maintain all fixtures and equipment erected or installed, or vegetation planted, in good condition and to recognised standards.
7. To indemnify the Council, its servants and/or agents against all actions, costs, claims and demands for injury, loss or damage arising out of or in relation to the alteration to the footpath, the granting of this Permit and the General Conditions and Special Conditions contained herein and such indemnity shall be in addition to any statutory immunity in favour of the Council.
8. For the term of the Permit, to take out and keep current a public liability policy of insurance (\$20,000,000) of cover per claim in respect of the Business, any alteration to the footpath or any activity arising out of or from the granting of this Permit by the Council.
9. To not assign or otherwise transfer this Permit without first obtaining the consent of the Council in writing.
10. In the event that the Applicant has failed to comply with any of the conditions of Permit or for any other justifiable circumstance, including reinstatement, maintenance, repair or removal, the Council may revoke the Permit.
11. At the expiration or earlier termination of this Authorisation to remove, if so directed by the Council, any structure or object erected or installed on the footpath and to reinstate the footpath to the satisfaction of the Council.
12. The owner must display their outdoor dining permit issued by council at all times. The permit shall include details of the hours of operation and the number of seats allowed. No amplified music shall be permitted within an outdoor dining area.
13. This Permit is subject to the Applicant obtaining appropriate Development Act approval for any structures, fixtures or equipment.
14. This Permit does not confer on the Applicant any exclusive right, entitlement or interest in the footpath and does not derogate from the Council’s powers arising under the Local Government Act, 1999.
15. This Permit will not come into operation until proof of all insurances has been provided to the Council and a copy of this document, signed by the Council has been returned to you.

I agree to indemnify, and keep indemnified for the term of approval, the District Council of Loxton Waikerie in accordance with Council’s approval requirements. I have read and understand the general conditions and agree to abide by them. I have the authority of the owner to submit and seek approval for activities covered in this application. I hereby seek approval and authorise inspection by Council Officers

Name Date

Position Signature.....