


Electronic version on the Intranet is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

	<p align="center">PERMIT TO USE A PUBLIC ROAD (COUNCIL ROAD RESERVE)</p> <p align="center"><i>Pursuant to Section 222 of the Local Government Act 1999</i></p> <p align="center">NON MOBILE FOOD BUSINESS</p>	Form No:	GOV012
		Version No:	1.0
		Page No:	2 of 4
		Last Updated:	30th November, 2017
		Form Ownership:	Executive Support Coordinator
		Relevant Policy/Act:	


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 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; and to comply with and give all notices required by any Act of Parliament, ordinance, regulation or by-law relating to the occupation and use of this land including the CFS Act and the Native Vegetation Act.
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 road 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 subject to this Permit.
5. That all fixtures and equipment erected or installed in, on, across, under or over the road 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, in good condition and to recognised standards.
7. To not take any action that will or is likely to cause degradation of the land subject to the permit or any nearby land. The Permit Holder is to observe any direction given by Council in relation to the protection of such areas.
8. To make good any damage to the area as set out in Clause 7. The Council may give notice requiring such work to be done by the Permit Holder within 14 days from the giving of such notice. If such work specified in the notice has not been completed within the said 14 days the Council may, by notice in writing terminate the Permit.
9. To not remove from the land any minerals including sand, gravel, stone or other materials, or cut down or remove any dead timber or cut down, top, lop, bark or ring-bark or otherwise destroy any tree or shrub which is now or hereafter shall be growing upon the land without approval in writing from Council first being obtained.
10. For the term of the Permit, to keep the land clear of all plants required to be controlled under the Natural Resources Management Act 2004.

	<p align="center">PERMIT TO USE A PUBLIC ROAD (COUNCIL ROAD RESERVE)</p> <p align="center"><i>Pursuant to Section 222 of the Local Government Act 1999</i></p> <p align="center">NON MOBILE FOOD BUSINESS</p>	Form No:	GOV012
		Version No:	1.0
		Page No:	3 of 4
		Last Updated:	30th November, 2017
		Form Ownership:	Executive Support Coordinator
		Relevant Policy/Act:	

11. Where two or more persons are the Permit Holder their agreements and obligations hereunder shall be joint and several and this agreement shall be construed accordingly and reference to the Permit Holder shall be read as references to the Permit Holders and each and every one of them.
12. To indemnify the Council, its servants and/or agents against all actions, costs, claims and demands for injury, loss or damage arising out of any negligent act or omission of the Applicant in relation to the alteration to the road, 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.
13. For the term of the Permit, to take out and keep current a public liability policy of insurance to an appropriate level of cover per claim in respect of any negligent act or omission of the Applicant in relation to any alteration to the road or any activity arising out of or from any business use granted under this Permit.
14. To not assign or otherwise transfer this Permit without first obtaining the consent of the Council in writing.
15. That the Council may terminate this Permit at any time by giving to the Permit Holder three (3) months prior notice in writing of such termination.
16. 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 by giving 24 hours' notice in writing, signed by the Chief Executive Officer.
17. This Permit does not confer on the Applicant any exclusive right, entitlement or interest in the road (unless specifically provided pursuant to Section 223 of the Local Government Act, 1999) and does not derogate from the Council's powers arising under the Local Government Act, 1999.
18. 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.

Special Conditions of Permit:

19. The minimum insurance cover for this permit shall be \$10,000,000.
20. The term of this licence shall commence on / / and conclude on / /
21. The permit fee shall be the same as the minimum rate, as set by Council, plus GST for the sale of goods.
22. The business shall only operate from _____, at _____ (township) on
_____ (days) between the hours of _____ and _____ from
_____ / / (date) to / / (date)

	<p align="center">PERMIT TO USE A PUBLIC ROAD (COUNCIL ROAD RESERVE)</p> <p align="center"><i>Pursuant to Section 222 of the Local Government Act 1999</i></p> <p align="center">NON MOBILE FOOD BUSINESS</p>	Form No:	GOV012
		Version No:	1.0
		Page No:	4 of 4
		Last Updated:	30th November, 2017
		Form Ownership:	Executive Support Coordinator
		Relevant Policy/Act:	

In making this application, I/we acknowledge that I/we have read, understand and agree to be bound by the Conditions of Permit and declare that the particulars provided by me/us with regard to the Business and the Proposed Alteration to the road are true and accurate.

Dated the _____ day of _____ 20

Signed by Applicant/s: _____

OFFICE USE ONLY

Permit:	Approved	Declined
Council Specification for Alteration to Road Attached:	Yes	No
Special Conditions Attached:	Yes	No
Insurance:	Yes	No
Name of Authorised Officer of Council:		
Position:		
Signature		
Date:	/ /	
Fee:	\$	