

Permit Agreement

Outdoor Dining

175 The Parade, Norwood SA 5067
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ABN 11 390 194 824



City of
**Norwood
Payneham
& St Peters**

Applicant Details

Trading Name:

Name Of Restaurant:

Address Of Business:

Address For Correspondence:

Permit Holder:

Permit Commencement:

Permit Expiry:

Grant of Permit for a Limited Term:

The Council grants the Permit Holder a Permit under Division 6 of Chapter 11 of the Local Government Act 1999, to use a portion of the road for a business purpose in the form of outdoor dining and to alter a road, for a period of twelve (12) months.

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 the Norwood Payneham & St Peters Outdoor Dining Code (copy attached), all applicable industry standards, health or safety standards, current standards of Standards Australia and 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 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 modify the alteration to the road subject to this Permit.
5. That all fixtures and equipment erected or installed in, on, across, under or over the road, listed in the Schedule overleaf, 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 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.
8. 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.
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 road and to reinstate the road to the satisfaction of the Council.
12. This Permit is subject to the Applicant obtaining appropriate Development Act approval for any structures, fixtures or equipment.
13. 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.
14. 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:

Schedule:

Is the Area licensed for liquor?

Yes/No

Is the Area within the Parade Core?

Yes/No

Number of Fixed Tables:

Number of Movable Tables:

Number of Bollards:

Number of Chairs:

Other: Umbrellas/Screens/Planter Boxes