

	<b>District Council of Peterborough</b> <b>TOWN SQUARE AND DON FERGUSON DRIVE PERMIT</b>	Version No.	2.0
		Issued	Jan 2024
		Review Date	

1. PERMIT HOLDER DETAILS

**Organisation:** .....  
**Address:** .....  
**Contact Person:** .....  
**Position:** ..... **Telephone:** .....  
**Email:** .....

2. PURPOSE OF HIRE

Please tick where applicable:
 ☐ Market  
☐ Ceremony (*ie ANZAC Day, Australia Day etc*)  
☐ Mobile Van  
☐ Information Stand  
☐ Other (*Please detail in 'Description'*)

**Description:** .....  
 .....

**Date/s:**                      From ..... To .....

**Times:**                      Start .....am/pm    Finish .....am/pm

Required Site – Tick where applicable (*Please refer to the map at the back of this form*):

<input type="checkbox"/> Area A (Town Square Lawn)	<input type="checkbox"/> Area B (Paved area West of Rotunda)	<input type="checkbox"/> Area C (Paved Area East of Rotunda)
<input type="checkbox"/> Area D (Rotunda)	<input type="checkbox"/> Area E (Don Ferguson Drive)	<input type="checkbox"/> Area F (Opposite Compass Motors)

(If Area E is required, Section 9 must be completed)

**Site Preparation:**    Date .....    Time .....

**Site Vacated:**                      Date .....    Time .....

**Estimated Attendance:** .....

Is this Permit for an ongoing/recurring event **YES / NO**  
*(If Yes, and more than 5 per 12 month period, please use the 'Annual' Permit)*

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### 3. INSURANCE

Does the Permit Holder have public liability and professional indemnity insurance (minimum \$20 million) to cover the permit hire period and purpose of hire / activity?

**YES / NO**

Please attach a copy of the Certificate of Currency

Attached: **YES / NO**

Please note Permit Conditions 2 and 3 regarding Insurance

### 4. STALL HOLDERS (if applicable)

Are there any groups / organisations, apart from the Permit Holder, participating in this activity?

**YES / NO**

If YES, it is the Permit Holder's responsibility to ensure that any other organisations / stall holders have the relevant public liability insurance.

### 5. NOISE

Will your permit period include amplified music, presentations or speeches etc? **YES / NO**

If YES, please provide details including what will be amplified, volume and times:

.....

### 6. ELECTRICITY

Will access to an electrical outlet be required during this permit period?

**YES / NO**

If yes, please contact Council for connection points and authorisation.  
Usage will be on-charged.

### 7. ALCOHOL

Alcohol is not permitted in this area, due to it being a declared Dry Zone.

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## 8. FOOD and DRINK

### **Sale of Food during the hire (Food Act 2001 applies):**

Whilst not compulsory, it is advisable that the Permit Holder seeks proof of compliance, ie a copy of a current Food Safety Inspection Form, from all food and drink sellers during the hire.

**PLEASE NOTE:** It is the Permit Holder's responsibility as per the Food Act 2001, Division 4, subdivision 1 (13), that as a general requirement, food handlers take all reasonable measures not to compromise the safety and suitability of food.

Will food and drink be served during this hire? **YES / NO**

If YES, please ensure the food and drink will be served considering COVID-19 requirements (if applicable).

Please note Permit Condition 11 regarding the preparation and sale of hot food

## 9. DON FERGUSON DRIVE

Will Don Ferguson Drive need to be closed to traffic during this permit activity? **YES / NO**

If YES, please complete an Event Management Form with requirements.

If NO, please ensure the centre of Don Ferguson Drive be kept free of structures, to allow access for Emergency Vehicles. Where possible, this is also highly preferable even if the road is closed.

Are Community Event Signs required, restricting speed limits? **YES / NO**

## 10. ADDITIONAL INFORMATION

Will any of the following be required / used during the permit hire:

- ☐ Additional Toilets
- ☐ Additional Waste Management, ie Bins
- ☐ First Aid Station
- ☐ Animals
- ☐ Amusements / Games
- ☐ Security / Emergency Services

If YES, you may be required to complete an Event Management Plan

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**Note 1:** A public road includes the carriageway, footpaths and verges.

**Note 2:** Pursuant to section 5 of the Act, land may be used for a "business purpose" even if it is not intended to make a profit.

## 11. THE ISSUING OF THIS PERMIT IS SUBJECT TO:-

- A. The Permit Holder has received a copy of this Permit signed by the Council.
- B. The Permit Holder agrees to comply with the General Conditions set out in this Permit.
- C. The Permit Holder agrees to comply with any Special Conditions, which are set out in this Permit.
- D. The Permit Holder will pay the fees as per Council's Fees and Charges Schedule in advance. (Council's current Fees and Charges Schedule can be viewed on Council's website: [www.peterborough.sa.gov.au](http://www.peterborough.sa.gov.au) or at the Council Office).
- E. The Permit Holder will provide a copy of all insurances, which are required by either the General Conditions or the Special Conditions of this Permit in advance.

### THE PERMIT HOLDER IS TO:

1. Comply with all reasonable directions given by any employee or officer of the Council in relation to the Permit and any activities carried out under this Permit.
2. Ensure that at all times during the term of this Permit, it will hold the necessary permissions, certificates and other authorisations required to undertake the proposed business use, which must be provided to the Council upon request.
3. Ensure that for the duration of this Permit that the road and any area in the vicinity of the road are kept in a clean and tidy state with any of the Applicant's waste, rubbish or unused or excess materials removed or otherwise disposed of.

## 12. GENERAL CONDITIONS

1. Indemnifications and Release
  - The Permit Holder is to indemnify and release the Council, its employees 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 any activities under this Permit or arising out of breach of any condition attached to this Permit.
  - The Permit Holder agrees that the Council will have no responsibility or liability for any loss or damage to the Permit Holder's fixtures or fittings or personal property.
2. Public Liability Insurance - For the term of this Permit, the Permit Holder must take out and keep current a Public Liability Policy of insurance for the minimum sum of \$20,000,000.
3. Disclosure and Evidence of Policy
  - The Permit Holder must not commence to use the Area until evidence of the Public Liability Insurance policy is given to the Council.
  - The Permit Holder will advise the Council immediately if the Public Liability Insurance policy lapses or is cancelled, and of any replacement or substituted policy taken out by the Permit Holder.
  - The Permit Holder must provide the Council at the commencement of the Permit, or at other times when any other insurance is effected, with a copy of a Certificate of Currency for Public Liability Cover from their Insurance provider.
4. Standards - During the period in which this Permit is current the Permit Holder must comply with all applicable industry or health and safety standards, current Australian Standards or any applicable Codes of Practice. The Permit Holder must ensure that the activity to be carried out by this Permit is conducted in a safe and responsible manner.

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#### 5. Compliance with Statutory Requirements

- The Permit Holder must comply with any Act of Parliament, regulation or by-law relating to the use of the Area.
  - Where the Permit is to include Outdoor Dining Areas (see page 1), the Permit Holder must ensure that no person smokes within the Area at any time that food is being offered for purchase or is otherwise being provided for consumption within the Area. This requirement applies regardless of whether the person smoking is or is not dining in the Area. Please note that a breach of this requirement constitutes breaches of section 52 of the *Tobacco and E-Cigarette Products Act 1997* and regulations 15 of 16 of the *Tobacco and E-Cigarette Products Regulations 2019* and criminal penalties and expiations apply.
  - Wherever there is any cost involved in complying with the preceding requirements, the Permit Holder will be responsible for payment of those costs.
6. The Permit Holder is responsible for ensuring that any providers of services, stalls, etc, external to the Permit Holder's insurance, have the appropriate insurance and licences.
  7. The Permit Holder is responsible for all activities held during the hire Permit.
  8. The Permit Holder, where appropriate, shall ensure that it is licensed or registered to carry out the described activity.
  9. The Permit is not transferable.
  10. Keys (if applicable) to be collected and returned during normal office hours.
  11. Stall holders preparing and serving hot food using a BBQ or hot oils, are not to be located on Areas B and C, ie the paved areas of the Town Square.
  12. Pegs or stakes are not allowed to be used on Area A, the lawned area – at any time. Sandbags are permitted for the securing of structures.
  13. If the Rotunda is part of the permit hire, weather screening is permitted with removable fixings only.
  14. The Permit Holder shall ensure that any breakages of glass or spillage of food, drink or other substances are cleaned up immediately. Breakages of any Council owned equipment, fixtures and fittings must be reported to Council as soon as possible and replacement or repairs shall be at the cost of the Permit Holder.
  15. The Permit Holder shall ensure that the venue is left in a clean and tidy condition at the end of the Permit hire, with all rubbish to be disposed of after use. Wheelie Bins are supplied. (Deposit will be withheld or Council will recover the cost of cleaning and/or rubbish disposal from the Permit Holder).
  16. The use of power by Permit Holders shall not exceed that agreed to and approved by the Council.
  17. In the event of an emergency, all areas in use are to be evacuated, Emergency Services notified immediately, and Council notified as soon as possible. No-one is to re-enter the venue until given the all clear by emergency services or Council management.
  18. If applicable, the Permit Holder is required to pay the correct hire rate, as set out in Council's Fees and Charges Schedule. Council reserve the right to consider special circumstances on a case-by-case basis.
  19. Normal hire charges may be applied if a cancellation is not received at the Council office at least seven days prior to the reserved date.
  20. This Permit may be revoked by Council if the Permit Holder fails to comply with a condition of the Permit and may be revoked in any other justifiable circumstance.
  21. Contractual Rights Only - This Permit does not confer on the Permit Holder any exclusive right, entitlement or interest in the Area.
  22. Interpretation - In this Permit reference to: -  
 "The Council" includes its members, employees and agents.  
 "The Permit Holder" include its employees and agents.

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In making this application the Permit Holder agrees to be bound by the conditions of the Permit and declares that the particulars provided by the Permit Holder with regard to the proposed hire period are true and correct. The person signing warrants he/she has authority to bind the Permit Holder for that purpose.  
 Additionally, if there are Special Conditions imposed, the Permit Holder will adhere to them.

**SIGNED FOR AND ON BEHALF OF THE PERMIT HOLDER:**

Signature: ..... Date: .....

Name: ..... Position: .....

**COUNCIL AUTHORISATION (Office Use Only) :**

Permit Hire:      Approved / Denied      Reason for denial: .....

Insurance Supplied:    YES / NO    *(Including activity noted/included in policy)*

Other Permits/Licences Required:    YES / NO

Keys Issued:            YES / NO            Date Issued: .....  
*(if applicable)*

Fees to be Paid *(if applicable)*: .....  
*(Single area utilised fee or 2+ areas fee)*  
*(25% Discount – NFP Community, Sporting Group, Charitable Fundraising)*

Refundable Bond *(if applicable – 2+ areas only)*: .....

Is Event Management Plan required:    YES / NO

Copy given to Permit Holder:    YES / NO

**SPECIAL CONDITIONS OF PERMIT REQUIRED BY COUNCIL:**

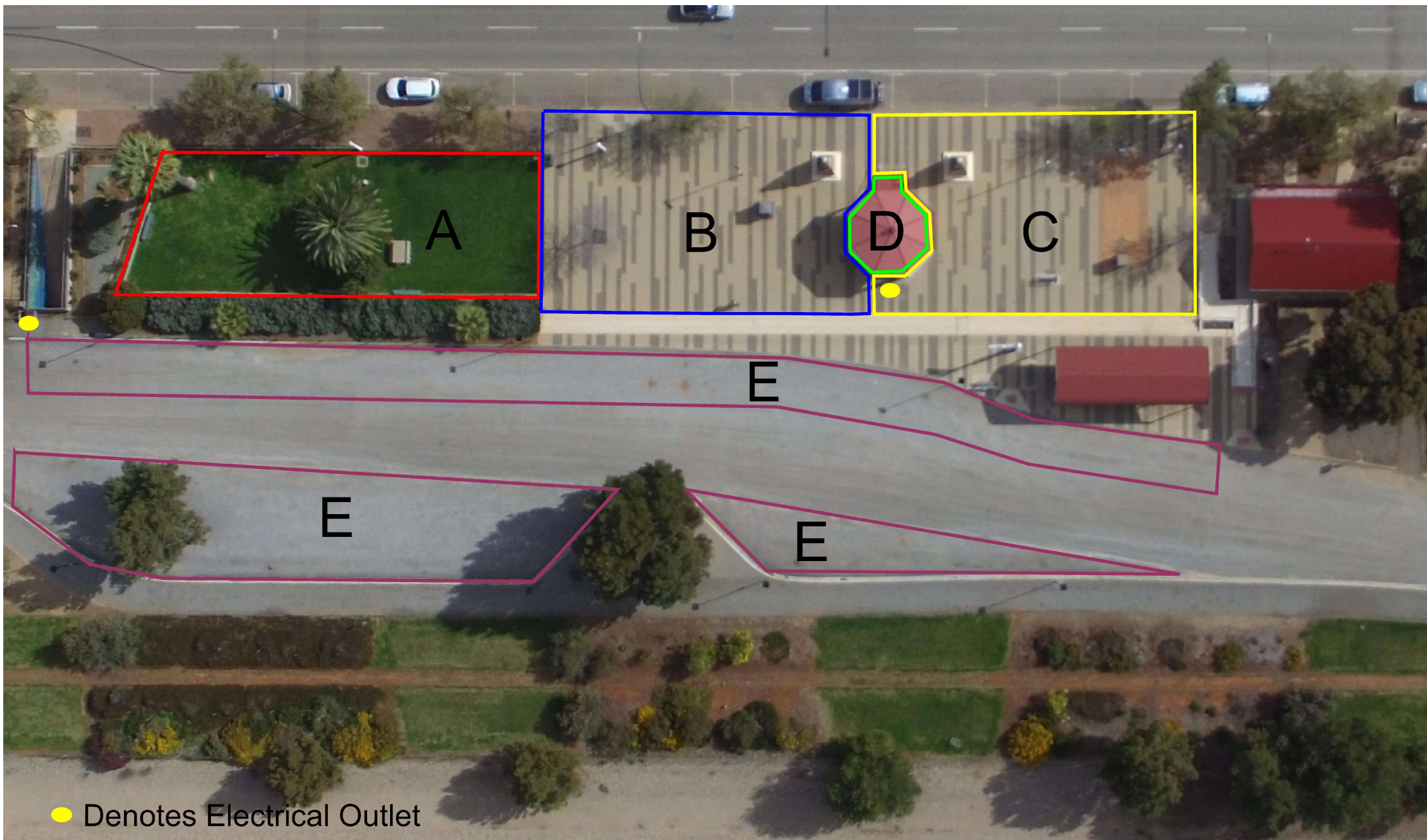
.....  
 .....

Signed on behalf of Council: .....

Name: ..... Position: .....

Date: .....





● Denotes Electrical Outlet

**AREA F**

BOB THE DOG CAR PARK

COMPASS MOTORS



TOWN CARRIAGE MUSEUM