



APPLICATION TO VEND ON LOCAL GOVERNMENT LAND

Pursuant to Section 222 of the South Australian Local Government Act 1999

Please complete this form and return to the Development and Regulation Department via email at developmentandregulation@pirie.sa.gov.au.

Please ensure that the application form is completed entirely and all requested documentation is attached to avoid delays in processing your application.

A minimum of 15 business days' notice is required prior to vending at an event.

PART 1 – BUSINESS DETAILS

Proprietors Name:			
Business Name:			
Address:			
Township/Suburb:		Postcode	
Email:		Mobile:	
ABN:			
Operator name:(if not applicant)			
Home:		Business:	
Mobile:		Email:	

PART 2 – APPLICATION DETAILS

<input type="checkbox"/> New Application (continue to part 3 & 4)	<input type="checkbox"/> Amendment Application (continue to part 5)	<input type="checkbox"/> Renewal Application (continue to part 6)				
<u>Proposed Hours of Operation</u>						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

PART 3 – ACTIVITY DETAILS

<input type="checkbox"/> Single Day License	<input type="checkbox"/> Month License	<input type="checkbox"/> Seasonal License	<input type="checkbox"/> Annual License				
<p><i>Please Note: If your event includes the participation of food vendors, please note that as the Event Organiser, you may be held liable for any food vendor allowed to participate, who has not provided proof of compliance, and has breached Food Safety Legislation, Standards or Guidelines. In the event that this permit includes food vendors, the Port Pirie Regional Council will contact you regarding appropriate permits to ensure these are in place prior to your event.</i></p>							
<input type="checkbox"/> Food/Beverage Vending*		<input type="checkbox"/> Non-Food/Beverage Vending					
<p><i>*Food Vendors please reference attached acceptance area maps.</i></p>							
Do you wish to remain in one location – if no, please highlight all desired locations below			<input type="checkbox"/> Yes <input type="checkbox"/> No				
Acceptance Areas	A1	A2	A3	A4	A5	A6	A7

If not a listed Acceptance Area, please list your preferred location(s) by address and attach a detailed site map – *must be 100m or more from an existing food business, please note the Port Pirie CBD is an exclusion zone:*

Please list each of the products you intend to sell:

PART 4 – VENDING AT AN EVENT ON LOCAL GOVERNMENT LAND

Name of Event:

Address of Event:

Dates Required:

Please list all the products you intend to sell:

PART 5 – PERMIT AMENDMENT REQUEST

Details of amendments including but not limited to, change of operating hours, change of products to be sold, additional products to be sold, area or section of vending:

PART 6 – PERMIT RENEWAL REQUEST

*Please note that **any** amendments or alterations to your previous application requires reassessment and therefore is not classified as a renewal.*

Details of renewal request including but not limited to, change of operating hours, change of products to be sold, additional products to be sold, area or section of vending:

PART 7 – INSURANCE DETAILS & APPLICANT DECLARATION

Insurance Details:

The permit holder must maintain a public liability insurance policy during the entire permit period, with a public risks cover of a minimum of \$20,000,000. A Certificate of Currency and an Insurance Schedule, that details any inclusions and exclusions to the policy **must** accompany this application.

Please note that Tax Invoices are not considered sufficient evidence of Public Liability Insurance.

☐ Insurance details attached

DECLARATION:

- The permit holder agreeing to the General Conditions of the permit as contained herein.
- The permit holder agreeing to all Special Conditions which the Port Pirie Regional Council may determine from time to time.
- The permit holder agreeing to all directions, which the Port Pirie Regional Council may determine from time to time.
- The permit holder paying the prescribed fees as set out in the Port Pirie Regional Council Fees and Charges Register if applicable.

I certify that the above information is true and correct and furthermore in making this application, I acknowledge that I have read, understand and agree to be bound by the permit conditions including the payment of any applicable fee.

Signature:

Date

☐ Business owner

☐ Authorised person on behalf of a business

PERMIT FEES

222 PERMITS	REGIONAL ZONE	PORT PIRIE ZONE
DAY PERMIT	\$25	\$45
MONTHLY PERMIT	\$100	\$150
3 MONTHLY PERMIT	\$200	\$375
ANNUAL PERMIT	\$800	\$1,500

****All fees are subject to routine annual review for inclusion in the Councils Fees and Charges Register.**

MOBILE FOOD VENDOR ACCEPTANCE AREAS

Mobile Food Vendor Acceptance Area 1

Foreshore Car Park PORT PIRIE ZONE

Proposed Hours of Attendance: 10am – 9pm



Mobile Food Vendor Acceptance Area 2

Memorial Park PORT PIRIE ZONE *within 150 metres of Gertrude Street*

Proposed Hours of Attendance: 10am – 9pm



Mobile Food Vendor Acceptance Area 3

Adelaide Square CRYSTAL BROOK REGIONAL ZONE

Proposed Hours of Attendance: 11am – 9pm



Mobile Food Vendor Acceptance Area 4

Bowman Park CRYSTAL BROOK REGIONAL ZONE

Proposed Hours of Attendance 10am – 9pm



Mobile Food Vendor Acceptance Area 5

Playground NAPPERBY REGIONAL ZONE

Proposed Hours of Attendance: 10am – 9pm



Mobile Food Vendor Acceptance Area 6

Lawrie Park NELSHABY REGIONAL ZONE

Proposed Hours of Attendance: 10am – 9pm



Mobile Food Vendor Acceptance Area 7

Bunyip Park KOOLUNGA REGIONAL ZONE

Proposed Hours of Attendance: 10am – 9pm



PERMIT CONDITIONS

VENDING ON LOCAL GOVERNMENT LAND

The issuing of this Authorisation is subject to:

- A. The Applicant agreeing to the General Conditions of Authorisation as contained herein;
- B. The Applicant agreeing to any/all Special Conditions that the Council may determine and attach to this Authorisation;
- C. The Applicant paying the prescribed fee; and
- D. The Applicant providing to the Council evidence of all appropriate insurances as required by the General Conditions and/or the Special Conditions of the Authorisation.
- E. The Applicant providing to the Council evidence of all appropriate Planning, Development and Infrastructure Act 2016 approvals as may be required by the General Conditions and/or the Special Conditions of the Authorisation.

Special Conditions:

- 1. The applicant shall not supply food or liquor authorised by the Permit outside of business hours.
 - a. The Applicant shall at all times ensure that a footpath width of not less than TWO (2) metres is maintained for unobstructed pedestrian use adjacent and near the Permit Area for fixed tables and chairs.
 - b. The Applicant shall at all times ensure that a footpath width of not less than 1.2 metres is maintained for unobstructed pedestrian use adjacent and near the Permit Area for non fixed tables and chairs. These tables and chairs must be taken away at close of business and **must be monitored regularly within business hours**.
- 2. The Applicant shall at all times ensure that no more than the number of persons specified on the Permit shall consume food or drink within the Permit Area and shall not place tables and/or chairs in the Permit Area in excess to the number approved by Council.
- 3. The applicant shall at all times ensure that:-
 - all food and drinks supplied in the Permit Area is served by waiters and/or waitresses to only such persons as are seated at tables in the Permit Area;
 - all customers purchasing take-away food and/or liquor are requested to inform the Applicant as to whether or not they wish to consume the food and liquor in the Permit Area;
 - all customers who consume food and/or liquor at the tables in the Permit Area without crockery and cutlery are to be asked to leave immediately;
 - if customers purchasing take-away food and/or liquor wish to consume the same within the Permit Area they must do so at the tables provided therein using crockery and cutlery supplied by the Applicant; and
 - crockery, cutlery and glassware is laid out at all tables for customers who wish to consume food and/or liquor in the Permit Area only after a meal has been ordered by those customers and that such cutlery, crockery and glassware is removed immediately upon the departure of those customers.
- 4. The Applicant shall at all times keep the Permit Area and all furniture and equipment thereon clean and free from litter and waste materials and shall ensure that no waste material is swept or placed into the water table.
- 5. The Applicant shall remove all obstructions from the Permit Area upon twenty four (24) hours notice (or less in times of emergency) being given to the Applicant by the Chief Executive Officer of the Council that the Permit Area is required for pavement maintenance or repair work.
- 6. The Applicant shall bear the cost of cleaning the Permit Area and of all pavement repairs (inclusive) of replacement of jointing material removed from brickwork paving in sweeping and washing down of the pavement) carried out by the Council within the Permit Area which in the opinion of the Chief Executive Officer of the Council are necessary by reason of activities authorised under the Permit.
- 7. The Applicant shall remove all furniture at the close of business on each day and if any such furniture and equipment remains in the Permit Area during the hours of darkness illuminate same and all other obstructions in such manner as shall be approved from time to time by the Chief Executive Officer of the Council.
- 8. Other structures on the street (e.g. trees, power pole, signs and services etc) may not be moved, altered or interfered with in any way except with the express, written approval of the relevant authority or owner and Council.
- 9. The Council shall not accept responsibility for any damages or claims resulting from this authorisation.
- 10. The expression "the Applicant" wheresoever mentioned herein shall mean and include all persons named in the Application attached hereto who and all of whom shall be bound by these Conditions jointly and severally and all references to a persons include a corporation.
- 11. If authorised under the Liquor Licensing Act 1997 to supply liquor as therein defined the Applicant shall produce to the Chief Executive Officer of the Council on demand the licence issued there under and at all times shall keep the Council fully informed of every variation made in the terms and particulars of such licence.
- 12. Should Council be of the opinion that the applicant requires to provide protection to the outdoor dining patrons from intrusion of impacting vehicles, the applicant must organise and bear all costs associated with the purchase and installation of approved crash tested protection barriers (eg. crash tested bollards).
- 13. Outdoor dining furniture cannot be permanently fixed to the ground surface without the approval of Council. Should Council approve the securing of furniture either temporary or permanently to the ground surface full installation details must be provided in this application.

General Conditions

1. **Non Transferable**
The permit is non transferable.
2. **Described Activity**
The permit is valid only for activity described on the permit.
3. **Dates and Times**
The permit is valid only for times and dates on the permit.
4. **Permit Inspection**
The Permit must be made available for inspection upon request by an authorised officer or a police officer.
5. **Insurance**
 - 5.1 The permit holder agrees to indemnify and to keep indemnified the Council its servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the issuing of the permit.
 - 5.2 The permit holder shall take out and keep current a public risk insurance policy in the name of the permit holder insuring the permit holder for the minimum sum of ten million dollars (\$20,000,000) against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against the permit holder in relation to the activity.
 - 5.3 The permit holder must provide confirmation of insurance to Council. Such a policy shall bear the endorsement of the Insurer indicating the Insurer accepts the indemnity given by the permit holder.
 - 5.4 The permit becomes immediately invalid if the permit holder ceases to have current public liability insurance as set out above.
6. **Failure to Comply**
Failure to comply with any condition of the permit will result in the permit being revoked.
7. **Valid Area**
The permit is only valid for the area stipulated on the permit.
8. **Planning, Development and Infrastructure Act 2016**
This Authorisation is subject to the Applicant obtaining appropriate Planning, Development and Infrastructure Act 2016 approval where required for any structures, fixtures or equipment where relevant – Planning, Development and Infrastructure Act 2016 approval is required where a change of the existing use of a footpath is proposed in some circumstances, check with Council for further information.
9. **Display**
The permit must be displayed at all times in a manner that is visible to the general public.
10. **Compliance with Other Legislative Requirements**
The permit holder must abide by all other State and Federal legislation. The issue of this permit does not absolve the permit holder or their agents from any other overriding legislation.
11. **Amendment to Conditions**
The permit conditions may be amended at any time by the issuing authority with or without consultation with the permit holder. In this instance the permit holder will be notified of the changes in writing.
12. **Directions**
The issuing authority may add or remove directions to the permit in addition to conditions at any time. Failure to comply with a direction will be taken as failing to comply with a condition of the permit.
13. **Available for Inspection**
The permit holder must make available for inspection any aspect of the activity, vehicle or premise for which this permit refers at any reasonable time.
14. **Changes to the Activity**
Any changes to the approved activity contained on this permit must be with prior approval from the issuing authority. This may cause conditions to the permit to be altered. If this is the case a new permit will be issued.
15. **Changes to Circumstances Affecting Validity of Permit**
Any changes to circumstances that would affect the validity of the permit must be notified to the issuing authority within 14 days of the change. For example a change to ownership of a company would require notification.
16. **Fees and Charges**
This permit is subject to fees and charges as set out in the Port Pirie Regional Councils Fees and Charges Register.
17. **Validity of Permit**
All permits, except for temporary event vending, are to be renewed annually and are valid between July and June (financial year). *(mid year permit approvals will be pro-rated).*

18. **Vending from Fixed Locations**

Permits may be offered to vendors that allow them to remain in one location to offer their goods for sale. However vendors must remove all plant and equipment from the area at the end of the day or at the conclusion of business, unless special circumstances are evident and prior approval is received to allow plant to remain on site.

19. **Use of Music/Bells**

Music or other audible means used for attracting custom is to be kept to a minimum so as not create a nuisance to residents. Audible means for attracting customers are not permitted for stationary vendors unless given special consideration, in writing, by the Council.

20. **Hours of Attendance**

Permit holders are only permitted to attend an approved site between the designated based on the individual acceptance areas unless otherwise permitted, in writing, by the Council.

21. **Prohibited Locations**

21.1 The permit holder shall not operate on any declared main or arterial road unless written approval has been granted by Council.

21.2 Permit holders will not vend within 1 kilometre of any school between 3 pm and 4 pm.

22. **Change of Address**

The permit holder is required to notify Council in writing within 7 days of any change of address of the business.

23. **Food/Beverage Vending**

All permit applications that relate to the sale or distribution of any food materials, including drinks, must have lodged a food notification form, as well as have had undertaken an inspection of any plant that is intended to be used in line with this permit, by an Environmental Health Officer, prior to the consideration for approval of any permit application.

24. **Voice Amplification**

Voice amplification is not permitted.

25. **Obstructions**

No obstruction is to be caused to pedestrian traffic.

26. **Harassment of the Public**

Members of the public must not be harassed, harangued or accosted.

27. **Use of Equipment/Infrastructure**

The installation, set up or usage of any infrastructure including chairs, tables, boxes or any other equipment is not permitted unless written approval has been granted by Council.

28. **Condition of Permit Area**

The area must be left in a clean, tidy condition and be free of litter.

Please Note:

Failure to comply with the conditions of a permit to vend on Government Land or failure to obtain a valid permit is subject to a maximum penalty of \$2500 and/or a \$210 expiation.

MOBILE VENDING INFORMATION GUIDE

This information guide explains the requirements for applying to operate a mobile vending business within the Port Pirie Regional Council area.

Do I need to obtain permission from Council to operate a mobile vending business?

Pursuant to sections 221 and 222 of the Local Government Act 1999, permission is required from Council should you intend to operate your business on a road, street or property owned by Council but is not required if you vend/sell products on private property. The Port Pirie Regional Council issues the permission in the form of a permit.

Please be aware that any approval to operate a mobile food/beverage vending business is subject to approval by Council's Environmental Health Officer.

Operating at an Event

A mobile vendor wishing to participate in a public event being held on Local Government Land can only do so with the cooperation of the event organiser, who are required to obtain a permit that covers the activities of the entire event. Mobile food vendors must provide 'proof of compliance', which includes proof of insurance and a copy of a current food safety inspection from the Council where they are based, to the event organiser before being considered eligible to participate in the event.

Is public liability insurance required for this permit application?

A copy of the Certificate of Currency with a public risk cover of at least \$20,000,000 (*ten million dollars*) must be supplied in the name of the vendor and must remain current for the duration of the permit period. The insurance must be valid for the activity you are undertaking as well as for the location of the event. A Certificate of Currency and an Insurance Schedule detailing any inclusions and/or exclusions to the policy must accompany the application.

NOTE: Tax invoices are not considered sufficient evidence of a Public Liability Insurance.

What are the costs associated with getting a permit?

There is an application fee which must be paid upon submitting the application. If the application is approved there will be a non-refundable fee which must be paid before a permit is issued. The fee is documented within [Council's Fees and Charges Register](#) which can be found on Council's website or by contacting the Customer Service Centre on 8633 9777.

OFFICE USE ONLY

Authorisation: APPROVED / DECLINED

Currency Period: 1 Jul 2022 – 30 Jun 2023

Permit Fee: _____

Receipt No.: _____

Approving Officer: _____

Position: _____

Signed: _____

Date: _____