



DISTRICT COUNCIL OF LOXTON WAIKERIE

General Permit Policy

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| Policy Identification: | |
| <i>Adoption Date:</i> | August 2008 |
| <i>Last Review:</i> | 15 August 2014 |
| <i>Next Review Date:</i> | August 2016 (every 2 years) |
| <i>Responsible Officer(s):</i> | Director Corporate & Community Services |
| <i>Relevant Delegations:</i> | |
| <i>Council File GDS Reference:</i> | 2.63.1 |
| <i>Other Relevant Policies:</i> | |
| <i>Related Procedures:</i> | General Permit Application |
| <i>Relevant Legislation:</i> | Local Government Act 1999 |
| <i>File Path:</i> | N:\Council\Policies\Council\2014\General Permit Policy.docm |

Purpose

To set out the approach to be taken by the District Council of Loxton Waikerie in assessing applications for and in issuing General Permits to ensure an appropriate balance between the interests of the Council, community groups, street traders, event organisers and Loxton Waikerie residents. A permit is required if you intend to use Council land or public reserve, road reserve, street, or footpath.

Objectives

- To ensure risks can be managed to maximise public health and safety;
- To ensure that Council fully meets its obligations in terms of relevant legislation;
- To provide fundraising opportunities and quality entertainment and leisure opportunities for local residents and visitors;
- To ensure that unacceptable and / or irreversible damage does not occur to the local environment, and that events are held in accordance with the provisions of all relevant legislation and regulations;
- To ensure that inconvenience to the Loxton Waikerie community is minimised.

Scope

A permit is required if you intend to use Council land or public reserve, road reserve, street, or footpath. This a power assigned to the District Council of Loxton Waikerie through Section 246 of the Local Government Act 1999.

Specific activities that will require permits include:

- A Frame Advertising Signs, BBQs, Raffles, Badge Selling etc.
- Busking
- Hall Hire
- Outdoor Cafe

- Limited Liquor License
- Retail Shop Goods/Displays on Footpaths
- Special Event Permit
- Temporary Road Closure
- Trading Tables/Stands/Street Stalls

Principles

Council Powers

The District Council of Loxton Waikerie made the following by-law under the Local Government Act 1999, **By-Law No. 1 – Permits and Penalties**. This by-law governs and sets the perimeters for provision and enforcement of council permissions.

Indemnity

General Permits can only be granted when the applicant 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. As part of this condition permit holders must obtain a public risk insurance policy in the name of the permit holder insuring the permit holder for the minimum sum of ten million dollars (\$10000000) against all actions, costs, claims, damages, charges and expenses whatsoever that may be brought or made or claimed against the permit holder in relation to the activity.

Conditions

According to the District Council of Loxton Waikerie By-Law No. 1 Permits and Penalties (section 1.2 & 1.3) , the Council may attach conditions to permits as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder. The by-law also states that any permit holder shall comply with every such condition and that the Council may revoke such a grant of permission at any time by notice in writing to the permit holder. Various special Conditions are applied to specific permits (see attachment A).

Special Event Management

Council is committed to supporting special events within the area provided they are seen to be both of benefit to the community and in keeping with the local community and are effectively managed to maximise positive benefits to the people of Loxton Waikerie and minimise potential negative impacts.

Some of the key factors that will be taken into account in determining special event permit applications include the enjoyment and safety of residents and visitors, the impact on the physical and social environment of the area, the financial implications of holding special events, and the resources available to council to manage special events given its other responsibilities.

Availability of the Policy

This Policy will be available for inspection at the Council Offices at Loxton or Waikerie during ordinary business hours at no charge.

Copies of this Policy will also be available from Councils website www.loxtonwaikerie.sa.gov.au or postal copies may be obtained from the Council Office, to be charged at the scheduled rate according to the Fees and Charges Register.