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<p align="center">PERMIT TO USE PUBLIC ROAD</p> <p align="center">(FOR FARMING PURPOSES)</p> <p><i>(Permits may be issued for a maximum period of five years or otherwise stated by Council)</i> Pursuant to Section 222 of the Local Government Act 1999</p>	SF129
	Responsible Officer: Property Tenure Officer
	Issue Date: 30/01/2024
	Next Review Date: January 2028

Applicant Details

Is the application a **New Permit** ☐ or **Renewal** ☐ **Permit No:**

Is this application for exclusive use? **Yes/No**

(exclusive use means no access by members of the public or farming purposes, as public consultation is required, including with adjoining property owners and must be endorsed formally by Council)

Please note that applying for exclusive use or farming purposes extends the time frame for processing an application.

First Name:	Surname:
Business Name:	ABN:
Postal Address:	
Contact Person:	Mobile:
Email Address:	

I/We hereby apply to Yorke Peninsula Council (the "Council") for a permit to use the unmade public road described below for the purpose of:

Cropping	Estimated hectares:
Grazing	Estimated hectares:
Cropping & Grazing	Estimated hectares:
Other (details)	Estimated hectares:

Alternatively, I authorise Council staff to estimate hectares using Council's mapping software. **YES/NO**

Location details

Unmade Road/s dividing which Property Sections & Hundred:	
Assessment No. (adjoining property) if known:	

Site Plan

To assist with identification of the road/s, please attach a site plan identifying the following: defining the unmade road, adjoining properties (section/allotment numbers), fencing, position of gates, and other infrastructure.

Site Plan Attached **Yes/No**

Public Liability Insurance Requirements

Copy of Certificate of Currency attached to application: **Yes/No**

(Please note, if not supplied your application will not proceed)

The issuing of the Permit is subject to:

- The Permit Holder agreeing to the terms and conditions of the Permit as contained herein;
- The Permit Holder paying the prescribed fee (as per Council's Fees and Charges Schedule) on an annual basis;

Cropping	\$70 per hectare (minimum charge)
Combination Cropping & Grazing	\$70 per hectare (minimum charge)
Grazing	\$30 per hectare (minimum charge)
Other (access, revegetation)	\$30 per hectare (minimum charge)
Initial Application Fee (new Permits)	\$200
*(Fees GST excluded)	

The Permit Holder maintaining all the appropriate insurances as required by the conditions of this Permit and providing proof of such insurance upon request.

CONDITIONS OF PERMIT**1. Term of Permit**

The Council hereby grants to the Permit Holder a Permit to use the defined area for the above purposes for a term of twelve (12) months commencing on the **1 July** and expiring on the **30 June** subject to the terms and conditions contained herein.

2. Renewal Permit

This Permit may be renewed in accordance with the provisions of Section 222 of the Local Government Act 1999 and Regulations.

3. Permit Fee

The Permit Holder shall pay to the Council the prescribed fee annually in advance at the commencement of the permit period upon receipt of an invoice.

4. Indemnification and Release

The Permit Holder indemnifies the Council from and against any liability whatsoever arising from his/her occupation of the Council's land and/or the authorised use under this Permit.

The Permit Holder releases the Council from and against any liability whatsoever arising from his/her occupation of the Council's land and/or the authorised use under this Permit.

5. Insurance

The Permit Holder agrees to take out and keep current for the term of the Permit Public Liability Insurance for a minimum sum of twenty million dollars (\$20,000,000) per claim, insuring the Permit Holder against all actions, costs, claims, charges, expenses and damages whatsoever which may be claimed against the Council or the Permit Holder or both in relation to the use of the permit area.

Printed copies are considered uncontrolled.

Before using a printed copy, verify that it is the current version.

Updated 30/01/2024

The Permit Holder must provide evidence of the insurance at the time of payment of the invoice for the permit fee, for the permit to be valid. It is the responsibility of the permit holder to provide to Council a Certificate of Currency to validate the Public Liability Insurance on an annual basis at the insurance anniversary date.

The Permit Holder must inform the Council immediately and in writing if the insurance policy lapses or is cancelled.

6. Occupational Health, Safety and Welfare Act

The Permit Holder agrees, in the use of the permit area, to have due regard to the Occupational Health, Safety and Welfare Act.

7. Keep in Good Repair and Condition

The Permit Holder shall not take any action that will or is likely to cause degradation or deterioration of the permit area, infrastructure within the road reserve, native vegetation or any nearby land.

To ensure health of existing vegetation is maintained the Permit Holder shall take particular care in the control of noxious weeds and control of proclaimed pest plants. There is to be no removal of native vegetation on the permit area. i.e. (grazing or wood collection). Should the permit holder wish to graze the site, it must be inspected by a Council officer and endorsed

All reasonable steps shall be taken to keep the property as free as possible from vermin such as rabbits and foxes.

8. Consent for Removal of Fences

The Permit Holder shall not remove any fences or gates erected on or adjacent to the boundaries of the road reserve without the prior written consent of the Council.

9. Council's Rights to Inspect

The Permit Holder shall allow the Council and its officers to enter the permit area at all times to examine the state of repair of the road/road reserve and to conduct all necessary maintenance of infrastructure and water course existing therein.

10. No Interest in the Land

The rights and entitlements conferred by the issuing of this Permit shall not create any tenancy estate or interest in or over the permit area other than those of Permit Holder.

The Permit Holder must disclose to any intending purchaser of land abutting the permit area that the permit area is a public road and as such does not form part of any abutting land parcel.

11. Permit Not Transferable

The Permit Holder must not assign or otherwise transfer this authorisation without first obtaining the consent of the Council in writing.

12. Compliance with Acts of Parliament and Regulations

The Permit Holder must comply with any Act of Parliament, Regulation, by-law or order related to his/her occupation of the Council's land and the authorised use under this Permit at his/her own cost.

13. Use by Public

Beyond the erection of such fences, gates, ramps or other additions as provided in this Permit, **nothing entitles the Permit Holder to prevent the free use of the land by the public in all respects as if it were unenclosed, excluding approved Permits for exclusive use**

14. Legislation

Using a public road for business purposes (including grazing or cultivation) without a Permit issued by Council is an offence under the Local Government Act 1999 that carries a maximum penalty of \$2,500.

15. Alterations to the Road

The Permit Holder must not make any alteration to the Road without written authorisation from the Council pursuant to Section 221 of the Local Government Act 1999.

16. Termination of Permit

The Council may terminate this Permit at any time by giving the Permit Holder two (2) months prior notice in writing of such termination, and in such circumstances the Council will refund the balance of the fee as determined on a pro rata basis. In the event that it is necessary to protect the health and safety of the public or to otherwise protect the public interest, the Council may forthwith revoke the Permit with no refund of fees.

In making this application, I/we acknowledge that I/we have read, understand and agree to be bound by the Conditions of the Authorisation and declare that the particulars provided by me/us are true and accurate.

In making this application, I/we agree to be bound to the conditions of the Authorisation and declare that the particulars provided by me/us with regard to the proposed Permit are true and accurate.

Signature

Name:	Signature:	Dated:
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Approval Process:

The approval process may take up to six (6) weeks. Incomplete information, applications for exclusive use and those that require public consultation and presentation to Council for a decision will take longer.

Successful applications will receive an authorised permit for a term of twelve (12) months, commencing on **1 July** and expiring on **30 June**

Unsuccessful applicants will be formally advised in writing.

OFFICE USE ONLY - COUNCIL AUTHORISATION

Authorisation Approved ☐ Denied ☐ Permit No:

Annual Fee:

Cropping	Hectares	\$
Combination Cropping & Grazing	Hectares	\$
Grazing	Hectares	\$
Other (access/revegetation)	Hectares	\$
Administration Fee		\$
Total (GST Excluded)		\$

Name of Authorised Officer of Council:

Signed:

Dated: