



Promotions Permit Terms and Conditions

Permit

Cancellation of a permit occurs immediately when:

- Conditions of the permit have been breached; or
- If Council identifies a misrepresentation in the application.

Refund requests will only be accepted in writing. The following conditions apply:

- Application fee is non-refundable
- 15 days or more from event = 75% refund of the site fee
- Less than 15 days from event = no refund
- Refunds are not issued if the event does not proceed.

Compliance

An individual responsible for the permit must be available at the event at all times to ensure that all:

- Engineering Services Group conditions are adhered to by individuals associated with and attending the event.
- Laws, legal requirements and Council directions that apply to the event must be upheld by all:
- Employees
- Agents
- Any other person associated with or attending the event.
- The permit holder must ensure that the permit is displayed at all times during the event.

Liability: The Council is not liable for any claims for loss or damage sustained or incurred to any person or property due to the:

- Use or occupation of the event area; or
- Conduct of the event; or
- Granting of a permit.

Public liability insurance policy for at least twenty million dollars (\$20,000,000), with an insurer approved by the Council. A certificate of currency must be provided with the permit application.

Indemnity insurance

- The Applicant/s agree to indemnify the City of Melbourne, its officers, servants and agents, in respect of any damage, injury or loss, claims, demands or expenses whatsoever which may be instituted or made

against City of Melbourne, its officers, servants or agents by any person or persons or agents for any damage injury or loss to any person or property whatsoever caused directly or indirectly from the proposed event.

- The Applicant/s liability to indemnify the City of Melbourne shall be reduced proportionally to the extent that any act or omission of the City of Melbourne its servants or agents, contributed to the loss or liability.

Area Access

Public

Parks, gardens public places and Council infrastructure must remain accessible to the public at all times. Access to the event site must be maintained at all times for:

- Emergency vehicles
- Owners or tenants of nearby or adjoining properties requiring access
- Pedestrians; a minimum path area of 2.5 metres
- Trams; tram tracks must always be kept clear
- Event areas cannot be roped or cordoned off.

Payment and Invoicing

- Permit will not be issued until payment is received in full.
- The final fee will include an application fee that is non-refundable.
- City of Melbourne may charge interest at the rate specified under section 172 (1) of the Local Government Act, payment is not received within the terms stated.
- City of Melbourne reserves the right to suspend customers' credit if payment is not made within Council's prescribed trading terms.

Catering and Entertainment

Beverages

- Alcohol is allowed for BYO functions where it is to be consumed in conjunction with food, except in alcohol free zones.
- A valid liquor licence must be obtained, a copy provided to Council and a copy displayed at the event if alcohol is to be sold or served at an event. Alcohol cannot be distributed or sold outside the approved event area.

Equipment

- Barbeques must not be used on a declared Total Fire Ban day and Council barbeques cannot be booked for exclusive use.
- Personal use of spit roast and gas operated barbecues can be used subject to the following conditions:
 - Operated 4.5 metres away from foliage
 - Coals must be removed from site
 - Protective matting must be used to prevent damage to the grass.

Animals

- Approved use of animals by Council are subject to the following conditions:

- Prior consent of the Council must be obtained
- Animal rides to remain on paved pathways
- Animals to be kept in a pen or on leash at all times, except dogs in designated off leash areas
- Animal waste must be removed.
- Grass must be protected from animals by installing flooring such as, plastic covered with straw.

Vehicles and Structures

Bridal vehicles are prohibited in parks and gardens

Motor vehicles are prohibited in parks and gardens.

Approval may be sought for drop off and pick up of equipment and transport of mobility impaired guests.

Approved vehicles are subject to the following:

- Must remain on pathways
- Must drive with hazard lights on
- Must be driven at a maximum speed of 10km per hour.

Horse drawn carriages are not allowed in parks, unless prior approval is given

Traffic must be controlled by the Victoria Police and/or a Vic Roads Accredited Traffic Controller.

Structures in parks and gardens

- Security must be provided if any structures or equipment are erected in parks and gardens. Structures are permitted in some park locations, subject to:
 - Prior Council approval
 - Council sighting all structures
 - Obtaining an occupancy permit for large structures
 - Structures being weighted, pegs are not allowed
 - Water weighted structures not being emptied on to the grass, trees or mulch
 - Must be positioned at least 4.5 metres away from trees/shrubs or tree canopies or 2.5 metres away from garden beds and not on top of mulch.

The possibility of inclement weather needs to be taken into account. Council does not provide wet weather alternative arrangements and marquees can not be set up at late notice.

Toilets must be provided or hired if public park toilets are not available or adequate.

Decorations and signage must not to be tied, stapled or attached to trees; this includes rope, string or balloons.

OH&S

Site set up must comply with the Work Safe Code of Practice.

Electrical equipment must be protected to ensure the safety of pedestrians and vehicles and must not be placed in trees.

Power outlets, if use approved by Council, must be opened, tested and closed by an electrician at the expense of the permit holder.

Emergency services must be arranged to maintain safety of event participants and park users.

Site Reinstatement

Damage and waste removal

- Waste, structures and decorations must be removed from site and surrounding grounds must be left in a clean, tidy and rubbish free condition.
- The reinstatement of the event area is the responsibility of the permit holder. If the permit holder fails to comply with this condition, the Council may carry out the necessary works, at the permit holders cost and the permit holder indemnifies and agrees to reimburse the Council for all expenses incurred in carrying out such works.
- You are also responsible for coordinating waste management resources and facilities to areas affected by the event, including those outside of the permitted area where City of Melbourne's normal services cannot access. This includes all areas affected by road closures, including major transport hubs, for example Flinders Street Station or tram super stops.

Conduct, Behaviour and Activities

Event Management:

Schedules, including bump in and out times, specified on the event permit must be adhered to.

Crowd control for the event must be arranged. Suitable action to maintain the good order, conduct and behaviour of those persons associated with or attending the event must be made.

Event organiser must comply with reasonable requests or directions given by authorised officers of the Council or members of Victoria Police.

Entry/admission fees into any section of the park or garden or public place is not permitted.

Amplified Noise is permitted up to a sound limit of 72 decibels and is only allowed to occur between:

- 10am and 10pm Sunday to Friday; and
- 10am to 10pm on Saturdays, where duration of noise is over 5 hours; or
- 10am to 11pm on Saturdays, where duration of noise is under 5 hours.

Activities:

Product or food giveaways, distribution of flyers or handbills and other such activities are not permitted unless Council approval has first been obtained.

If fundraising has been approved as part of your event you must:

- Provide evidence of charity registration via a letter from charity.
- Engage in fundraising activity passively only.
- Stay within the approved boundary of the event footprint.

Selling of goods and services:

If an event involves the selling of any food or products the permit holder agrees:

- That only vendors listed on the permit are authorised to sell goods.
- To maintain the quality of products at 100% at all times of operation.
- To maintain a high standard of presentation by staff.
- To provide readily available product information.
- To maintain the products in a fresh state.

If selling food, the street stalls shall be registered in accordance with the Food Act 1984 and the permit holder must comply with the requirements of the Food Act 1984 and other Acts and laws.

No cigarettes to be offered for sale.

No alcohol to be offered for sale unless in accordance with a Liquor Licence.

Terms and conditions are subject to change.