

# Guidelines for Promotional Activities

A permit is required for all promotional activities in open space within the City of Port Phillip.

## How do I apply for a Promotional Activities Permit?

The applicant is required to do the following:

1. Contact Event Services to find a suitable site and date.
2. Complete an application form
3. Provide any requested information, including:
  - Current Public Liability Insurance
  - A copy of promotional material or sample of product giveaways.
  - Images of the site layout and any promotional structures, signage or vehicles.
  - Temporary Food Premises Permit (if serving or selling food and beverage)
  - Risk Management Plan
4. An invoice will be sent to you once your application has been successful. Payments are accepted via credit card or BPay. Please note that a [card payment fee](#) will apply.

## What is the assessment process?

It will take a minimum of 10 working days to process an application. During this time you may be contacted for further information or clarification. Large promotions will be required to complete further application forms.

Once all the information is received it will be assessed and you will be contacted regarding the outcome.

Applications will be assessed against our Outdoor Events Policy.

## What are the fees?

An application fee of \$110 applies and promotional fees start from \$375 per hour. Check our [Promotional and sampling site permit](#) website page for the latest fees.

## What are the permitted locations?

Several locations are available across the municipality. Please indicate your preference. If you are not familiar with the area indicate your requirements (e.g. High pedestrian traffic) and an Events Manager will assist.

There are some location restrictions if you are giving out food or drink. We may not permit all activities in all locations depending on the proximity of traders and their offerings.

## Are there any limitations or restrictions?

The following activities are not permitted:

- Activities involving tobacco, gambling or alcohol promotion or advertising. However, events with a broad program of offerings which include alcohol may be considered.
- Activities or promotion of activities which could be deemed offensive, are illegal, or could promote violence.
- Activities that do not meet the goals or objectives of the Council Plan.

## Can I have amplified music?

Activities which include amplified music may not be permitted if it is determined that the noise will adversely affect the amenity of residents or other open space users.

## Can I serve, provide or sell food (including for free)?

Please note the following restrictions on promotions involving free food or drink samples:

- If you plan to serve or sell food to the public you will also need to obtain a Temporary Food Premises Permit from Council. Contact Council's Health Services on 03 9209 6777 or visit the Council website for an application form <http://www.portphillip.vic.gov.au/temporary-mobile-food-businesses.htm>. A permit will not be issued without evidence of this permit.
- All drinks and other food products used for the promotion must be of sample size.
- There are some location restrictions if you are giving out food or drink. Call us to discuss.

## How long do I have for bump in/out?

A 30 minute bump in/out either side of your promotion will be included in your permit.

## I want to do a roving promotion?

For roving promotions, you will not be restricted to one location and may have a number of staff as part of the promotion. Please confirm numbers of staff with the permitting officer. Consideration will need to be given to waste management.

## Can I get a refund if my event does not go ahead?

Cancellations under five days prior to a promotion will not receive a refund.

Alternate days may be arranged if cancellations are made over 48 hours prior to the permitted date.

No refunds or alternate days will be arranged for cancellations within 48 hours of the activity.

Refunds will not be given to cancellations on the event day due to incidents of acts of nature and/or bad weather. The possibility of inclement weather needs to be taken into account. Council does not provide wet weather alternative arrangements.

## Are set up and pack up times included in my fees?

A 30 minute set/pack up time either side of the promotion will be included for free as part of your permit.

## Is there access to power and water?

Many sites have power and water available. Call us and we can help you pick a site that will suit.

## Are there restrictions on the types of infrastructure or vehicles I can have on site?

Vehicles relating directly to the promotion (e.g. branded cars or refrigerated vans) may remain on site at sites with vehicle access.

Infrastructure restrictions will be determined by the size and type of location selected. There are no overarching restrictions. Call us to discuss.

## What are the conditions I must follow?

### ***Site Management***

1. It is the responsibility of the permit holder to:
  - a) Inspect the site for safety before use. Any unsafe areas should not be used and should be immediately reported to Council.
  - b) Leave the event area in a clean and tidy condition.

- c) Ensure that there is no damage to property, council assets or the environment resulting from the conduct of the event and/or its associated activities.
2. Permit holders will be required to reimburse council for the cost of any restoration or repairs which are required as a result of the event and/or its associated activities.
3. The permit holder must not use the permitted site for any other purpose other than what is specified in the approved location.
4. All infrastructure is to be weighted, not pegged.
5. All infrastructure must be placed at least 2 metres away from the base of and meet all specific tree protection restrictions required of the site.
6. Nothing is permitted to be attached to trees or existing council assets.
7. Tree pruning and or trench digging is not permitted in any reserve/public land at any time.
8. The permit holder is responsible for any damage caused to the garden, reserve, foreshore or surrounding area by event contractors or sub-contractors.
9. The permit holder must not make any alterations to any fixtures or fittings or interfere with any services without the consent in writing of the City of Port Phillip.
10. The permit holder must not:
  - a) do anything that is or may be dangerous or offensive or that may interfere with other persons;
  - b) do anything which might affect any insurance policy relating to the permitted event by causing it to become void or voidable or having claim on it being rejected or by causing any premium payable by City of Port Phillip to be increased;
  - c) remove any of City of Port Phillip property from the permitted site without permission.
11. City of Port Phillip site gates at the reserve are to remain locked once bump in has been completed, other than during waste collection periods.
12. The permit holder must permit authorised Council Officer access into any area of the permitted event site at any time for the purpose of compliance inspections.
13. A minimum walking space of 1.5 metres must be left on the footpath for pedestrians.
14. To enable emergency access, the event area must provide a clear 2.5 metre walkway for other pedestrian traffic at all times.
15. Cable covers must be used for any cables or trip hazards running across pathways or pedestrian areas.

### ***Noise Management & Music Approvals***

16. Noise and music must be kept at acceptable levels at all times creating as little disturbance as possible to surrounding residences. Acceptable levels include

those specified by EPA, any authorised Council Officer or the Victorian Police during the conduct of the event.

17. Noise management must comply with Noise management must comply with EPA :
  - Environment Protection Act 2017
  - Environment Protection Regulations 2021 and
  - The Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues
18. Any amplified PA system used at any time must have speakers facing seaward, away from residential areas.

### ***Health & Amenity Management***

19. Advertising of tobacco and gambling is not permitted.
20. The selling of food or drink by wandering vendors is not permitted.
21. This permit is subject to appropriate approvals from the City of Port Phillip Health Services in regard to the serving and selling of food and drink.
22. All food/drink vendors must apply for a temporary food premises permit via [FoodTrader](#).

### **Waste Management**

23. It is the event organiser's responsibility to ensure that all waste is removed from the event site and is correctly disposed of at the conclusion of the event.
24. No waste associated with the event (such as advertising material) is to go into Council waste containers. This does not include general public waste such as food and drink containers.
25. Single use plastic bags are not to be distributed during outdoor events.
26. Single use plastic straws must not be used.
27. Helium balloons and air-filled balloons are not to be used at any outdoor event.
28. Styrofoam must not be used.
29. All single use cutlery and crockery must be made from products able to be recycled.
30. The permit holder will be required to reimburse council for the cost of any additional cleaning or waste removal required post event.

## Communications Management

31. All signage approved by this permit must not be varied from an approved Signage Plan.
32. Organisers may be asked to notify neighbouring businesses of their upcoming activity.

## Risk Management

33. The permit holder is required to hold current public liability insurance to the value of \$20 million indemnifying Council against any liability arising from the event.
34. It is the responsibility of the permit holder to ensure all engaged contractors, sub-contractors etc. as part of the event also hold the applicable public/products liability insurance.
35. Event organisers have a duty of care under the Victorian Occupational Health and Safety Act 2004 (the OHS Act) to provide a safe operational environment. Under this legislation, event organisers must ensure so far as reasonably practicable that people are not exposed to risks arising from the event or associated activities.
36. The permit holder is responsible for managing the event safety risks through integrated event safety planning and associated approved documentation.
37. The permit holder acknowledges that occupational health and safety in relation to the permitted event is the responsibility of the permit holder (other than to the extent City of Port Phillip cannot at law contract out of its obligations with respect to the Occupational Health and Safety Act).
38. The permit holder must comply with all OH&S laws and applicable Australian Standards.
39. The permit holder is responsible for the security of event equipment and property.
40. The permit holder is responsible for the safeguarding of the public against injury and for maintaining the site during the conduct of the event in a safe condition at all times.
41. The permit holder is at all times responsible for the good order, conduct and behaviour of those people attending the event.
42. The permit holder must notify a City of Port Phillip representative immediately after an accident or any incident involving injury or property damage.

## Parking and vehicles

43. No parking is permitted on reserves, the foreshore or the promenade.
44. All parking and vehicle usage is subject to Council parking restrictions, local laws and state road rules.
45. Vehicles can only access the site to off-load equipment and for pack-up. Outside these times, all vehicles associated with the event must park in the designated roadside or car parking spots.

46. Vehicular access on the promenade must be in line with the St Kilda Foreshore Promenade – Vehicular Access and Load Limitations document.
47. The permit holder must ensure all vehicles accessing the site comply with the Conditions of the Vehicles in Reserves & Parks guidelines.
48. The permit holder may be charged a fee per unauthorised vehicles parked onsite during the event.

### **Non-Compliance**

49. A breach of any of the conditions of this permit may result with enforcement action being taken against the permit holder and/or the organisation responsible for the event. This action may include the issuing of fines to each interested party, cancellation of the permit or with the matter being referred to the Magistrates' Court.
50. Any enforcement action that is required in relation to this permit may affect future applications lodged by the event organiser with this Council.

## **Who can I contact for further information?**

**Please contact the Events team via [eventpermits@portphillip.vic.gov.au](mailto:eventpermits@portphillip.vic.gov.au).** You can also contact our ASSIST team via 03 9209 6777.