



## TERMS AND CONDITIONS

The Event Organiser must adhere to the following Terms and Conditions outlined below:

### GENERAL CONDITIONS

1. The Event Organiser acknowledges that Council reserves the right to cancel or postpone the event at any time. This may occur for various reasons, including but not limited to, safety concerns, to protect public safety in the event of adverse weather conditions, public health conditions, violations of the letter of no objection terms and conditions, or any other issues the Council considers necessary.
2. The Event Organiser understands that Council will attempt to provide reasonable notice of cancellation but accepts that Council will not be held liable for any loss, cost, or damages arising from such cancellation.
3. The Event Organiser agrees that all information provided to Council during the application process must be true and accurate. If the Event Organiser is found to have provided false or misleading information, or is found to have engaged in fraudulent activity, Council reserves the right to:
  - a. Cancel the event or withdraw any no objections granted.
  - b. Report the matter to relevant authorities.
  - c. Reject future event applications from the organiser or associated individuals.
  - d. Take legal or enforcement action where appropriate.
4. If the event must be cancelled due to inclement weather or environmental conditions, the Event Organiser is required to promptly inform the Council and communicate the cancellation to ticket holders and the public using the appropriate channels.
5. The Event Organiser must remain contactable in the lead-up to and during the event and is expected to always cooperate with Council officers and emergency services personnel.
6. If the event is held at a Council bookable location, the Event Organiser must secure a confirmed booking. All conditions in the hire agreement must be strictly followed. The online booking form is available on Council's website.<sup>i</sup>
7. If the event is held on land managed by other agencies, the Event Organiser must obtain all relevant permits and approvals from the Department of Energy, Environment and Climate Action (DEECA)<sup>ii</sup>, Department of Transport and Planning (DTP)<sup>iii</sup>, and/or Parks Victoria<sup>iv</sup>, as applicable.
8. For events requiring a Place of Public Entertainment (POPE) Permit, the Event Organiser must obtain an Occupancy Permit issued by Council's Municipal Building Surveyor<sup>v</sup>. It is recommended to begin this process at least six months prior to the event.

9. The Event Organiser must notify all nearby businesses and residents affected by restrictions, increased pedestrian or vehicle traffic, parking congestion, noise, or road detours (including road closures) in writing at least seven days before the event. The notification should include the event name, type (e.g., music, market, family fun day, cycling race), date, start and finish times, event boundaries, parking arrangements, and organiser contact details. A copy of this notification, including details of distribution, must be provided to Council prior to the event.
10. Commercial event organisers may incur venue hire fees as determined by Council.
11. If the Event Organiser wishes to invite the Mayor and/or Councillors, a formal invitation should be sent to Council's Mayor & Councillor Support team<sup>vi</sup> at least four weeks prior to the event.

## INSURANCE AND LIABILITY

1. The Event Organiser must provide a valid Public Liability Insurance policy with a minimum coverage of \$20,000,000 per event incident prior to the commencement date of the event bump-in. The Certificate of Currency must:
2. The Event Organiser accepts full responsibility for the safety of all participants, officials, and other persons involved in the event.
3. The Event Organiser agrees to indemnify, defend, and hold harmless the Council, its employees, officers, and agents (collectively, the "Indemnified Parties") from and against any and all claims, liabilities, damages, losses, expenses, or causes of action (including legal costs on a solicitor-client basis), arising out of or in connection with the event or the use or occupation of the event site, including, without limitation:
  - a. any personal injury, illness, or death of any person, including the Event Organiser, their employees, agents, contractors, or participants.
  - b. any loss or damage to property (whether owned by the Event Organiser or third parties) caused or contributed to by any act or omission of the Event Organiser, its representatives, contractors, agents, or invitees.
  - c. This indemnity applies to claims arising at any stage of the event, including during planning, setup, operation, or pack-down. This clause survives termination or completion of the event.
4. The Event Organiser assumes full responsibility for the safety and wellbeing of all participants, officials, and attendees. Council disclaims any responsibility for accidents, injuries, damages, or losses to property, participants, or third parties resulting from the event.
5. The Event Organiser is responsible for ensuring that all suppliers, contractors, and third-party service providers engaged for the event hold current and adequate Public Liability Insurance with a minimum coverage of \$20,000,000. This includes private companies, individuals, and sole traders, such as entertainers, musicians, and food vendors, operating on Council-owned or controlled land during the event, whose insurance may not be covered under the Event Organiser's policy. It is the Event Organiser's responsibility to obtain and verify current certificates of insurance from all such parties prior to the event.

## RISK MANAGEMENT

1. The Event Organiser must complete and submit a Risk and Emergency Management Plan prior to the event's bump-in commencement date. These plans are designed to minimize hazards and must be adhered to at all times during the Event.
2. The Event Organiser has a duty of care under the Victorian Occupational Health and Safety Act 2004<sup>vii</sup> to provide a safe operational environment. Under this legislation, Event Organisers must comply to the relevant law and Australian Standards, so far as reasonably practicable, ensure that people are not exposed to risks arising from the Event or associated activities.
3. The Event Organisers are responsible for maintaining good order, conduct, and behaviour of all attendees. In the event of an incident resulting in injury, damage, or loss, these Risk and Emergency Management Plans may be used as evidence to determine the Event Organiser's liability.
4. The Event Organiser shall bear the full cost of repairing any damage to Council property caused as a result of the Event.
5. The Event Organiser is responsible for the security and safety of all patrons during the Event.
6. The Event Organiser must provide Council officers with access to the Event site for the purpose of conducting site inspections.
7. The Event Organiser is responsible for complying with all relevant laws, including local laws, and ensuring that all employees, volunteers, agents, and other persons associated with the Event comply with these requirements.
8. The Event Organiser must provide an Event Site Map detailing the location and type of temporary infrastructure, all activities, emergency exits, parking areas, and other relevant features.
9. Any animals involved in the Event must comply with the Australian animal welfare standards and guidelines<sup>viii</sup>, and welfare regulations.
10. Any high-risk activities or performances must hold the required licences and certificates, which must be documented in the Risk Assessment.

## HEALTH & SAFETY

1. The Event Organiser should consider engaging a qualified and licensed First Aid provider<sup>ix</sup> for the event. First Aid providers must hold a current licence issued by the Department of Health.
2. The Event Organiser must ensure all portable electrical equipment is tested and tagged in accordance with AS/NZS 3760:2003<sup>x</sup> and ensure all electrical cables on the ground in public areas are adequately covered or protected to prevent trip hazards.
3. The Event Organiser must assess existing public toilet facilities and hire portable toilets if required, based on expected patron numbers. Review BBSC Community Event Planning Guide<sup>xi</sup> for recommendations.
4. The Event Organiser must ensure all gas appliances and hazardous equipment are installed, operated, and maintained following relevant Australian Standards<sup>xii</sup> and safety regulations and obtain any required permits or inspections for gas and other hazardous equipment before the event.
5. The Event Organiser must ensure free drinking water is available to all event attendees throughout the event.

6. The Event Organiser must develop and implement an Emergency Management Plan that includes first aid, evacuation, and incident response procedures.
7. The Event Organiser must ensure all event staff and volunteers are aware of health and safety procedures and their responsibilities.
8. The Event Organiser must manage crowd control to ensure safe movement and prevent overcrowding at the event site.
9. The Event Organiser must ensure all fire safety equipment is in place and accessible, and that fire exits are clearly marked and unobstructed.
10. The Event Organiser must ensure all event staff, personnel & volunteers managing the site and event are appropriately dressed in safety vests, properly equipped, and fully briefed on their responsibilities. Volunteers must wear safety vests and be informed of their roles.

## USE OF COUNCIL OWNED OR MANAGED LAND

1. Council assets must not be moved, damaged, or altered during the event or associated activities.
2. The Event Organiser is responsible for any costs incurred to repair damage to Council assets. Council will arrange repairs and invoice the Event Organiser accordingly.
3. No vehicles are permitted on the site without prior written consent from Council (also referenced in Traffic, Parking Management & Public Transport).
4. Only structures and equipment specified in approved site plans may be erected on site.
5. It is recommended that structures such as marquees and tents are secured using weighted blocks rather than stakes to avoid damage.
6. To prevent damage to underground services—which can cause significant disruption and costly repairs—the Event Organiser must obtain Dial Before You Dig<sup>xiii</sup> information before any digging or staking. A private contractor should be engaged, at the Event Organiser's expense, to identify and mark underground services and supervise related work.
7. Drones are prohibited on Council land without written consent from Council. The Event Organiser must also hold relevant Civil Aviation Safety Authority (CASA)<sup>xiv</sup> approvals and notify Council in writing at least 14 working days before the event.
8. The Event Organiser must minimise noise and comply with noise limits and times set out in the Environmental Protection Act 2017<sup>xv</sup> and by the Environmental Protection Agency (EPA). An EPA permit may be required for certain noise levels, durations, or times.
9. The Event Organiser must advise 14 days prior to the event if the following is required. They must seek written confirmation that following activities can proceed:
  - a. Selling goods or services on Council-managed land.
  - b. Erecting, affixing, or placing advertising signage—including details on location, size, design, materials, and duration of display—ensuring compliance with Council's standards for safe erection and removal. For signage on VicRoads-managed roads (e.g. arterial roads or highways), VicRoads approval must be obtained prior to the event.
  - c. Lighting fires or open flames.
  - d. Pitching, erecting, or occupying any camp, tent, caravan, mobile dwelling, or temporary structure.
  - e. Using relevant parking spaces associated with the event site.

## TEMPORARY STRUCTURES/ INFLATABLES

1. The Event Organiser must obtain Council approval prior to installing any temporary structures on site.
2. Larger temporary structures may require a Siting Approval and Occupancy Permit under the Building Regulations 2018<sup>xvixvii</sup>, as determined by Council's Building Surveyors.
3. The following temporary structures require a Siting Approval and Occupancy Permit from the Victorian Building Authority:
  - a. Tents, marquees, or booths with a floor area greater than 100 square metres.
  - b. Seating stands designed for more than 20 persons.
  - c. Stages or platforms (including sky borders and sky wings) exceeding 150 square metres floor area.
  - d. prefabricated buildings exceeding 100 square metres.
4. The Event Organiser is responsible for all assets and equipment at the event site at all times.
5. If any equipment or temporary structures remain onsite outside event hours or overnight, the Event Organiser must engage security to monitor and protect the site.
6. All amusement devices<sup>xviii</sup>, inflatables<sup>xix</sup>, and jumping castles must comply with all relevant safety standards, regulations, and codes of practice, including with Australian Standard AS 3533.
7. All inflatable amusement devices and amusement rides must be installed, operated, and supervised in accordance with the guidance and requirements set by WorkSafe Victoria<sup>xx</sup>. Installers must be competent and experienced in the safe setup, operation, and pack-down of the equipment.
8. Council reserves the right to inspect or request documentation for any inflatable or amusement device prior to, or during, the event and may prohibit use if safety compliance cannot be verified.
9. The Event Organiser must obtain and keep on record:
  - a. Manufacturer's compliance certificates for all amusement devices and inflatables.
  - b. Operating procedures and proof of compliance with safety requirements.
  - c. Up-to-date inspection and maintenance records documented in a logbook.
  - d. Job Safety and Environmental Analysis (JSEA) or Safe Work Method Statement (SWMS).
  - e. Work Cover registration for operators or contractors.
  - f. Public Liability Insurance with a minimum cover of \$20,000,000 per incident.
  - g. Working with Children Check (if applicable).

## FOOD AND DRINK

1. The Event Organiser must ensure that all food and beverage suppliers hold current Food Act 1984<sup>xxi</sup> registration with a Victorian council and are registered via FoodTrader. <sup>xxii</sup>
2. The Event Organiser must ensure each provider submits a Statement of Trade<sup>xxiii</sup> via FoodTrader<sup>xxiv</sup> to Council at least one business day, but we encourage least seven days prior to the event.
3. A permit from Council's Local Laws is required before permitting BYO alcohol<sup>xxv</sup> on Council property.

4. For on-site alcohol sales, the Event Organiser or vendor who sells (permit holder) alcohol must obtain and supply Council with a temporary or Producer's liquor licence issued by the Victorian Gambling and Casino Control Commission<sup>xxvi</sup> and have a copy displayed at the permitted location where alcohol is to be sold or served at a public event.
5. The Event Organiser and permit holder must adhere to all conditions outlined as part of the approved liquor licence where required.
6. The Event Organiser is encouraged to include healthy food options, using Council's Healthy Catering Guide<sup>xxvii</sup> to plan menus that support wellness within budget.

## WASTE MANAGEMENT & SUSTAINABILITY

1. The Event Organiser must submit a Waste Management Plan to Council that outlines sustainable waste reduction, recycling, and disposal practices.
2. The Event Organiser is responsible for leaving all areas used during the event in a clean and tidy condition, ensuring the event site is fully cleared by the end of bump-out and restored to its original, safe, and clean state.
3. The Event Organiser must notify Council at least three weeks prior to the event if additional waste bins are required. Council may provide additional bins for a fee.
4. The Event Organiser must ensure that all event-related waste is disposed of on-site and must not use public bins located throughout the event area.
5. The Event Organiser is required to comply with the Victorian Government's Single-Use Plastics regulations, avoiding prohibited single-use plastic items.
6. The Event Organiser is encouraged to follow Council's Sustainable Event Checklist<sup>xxviii</sup> and use compostable or recyclable materials wherever possible, minimise packaging waste, and actively conserve electricity and water during the event.

## CHILD SAFETY

1. The Event Organiser must comply with Victorian Child Safe Standards<sup>xxix</sup> to protect all persons under 18 years old. The Event Organiser must:
  - a) Ensure all employees and volunteers who require a valid Working with Children Clearance under the Worker Screening Act 2020<sup>xxx</sup> (VIC) obtain it before working at the event.
  - b) Provide copies of these clearances to Council upon request.
  - c) Ensure that any person issued a negative notice does not work with children at the event.
2. Council may use Working with Children Check information to administer or enforce this agreement or as required by law. For further information, contact Council's Child Safety Officer<sup>xxxi</sup> at Council.

## TRAFFIC, PARKING MANAGEMENT & PUBLIC TRANSPORT

1. If the event impacts the normal use of a Council Road, Council will require the Event Organiser to submit a Traffic Management Plan (TMP) and Memorandum of Authorisation (MoA) <sup>xxxii</sup>. This documentation must be prepared by a traffic management company acceptable to Council. During the event, traffic management must be implemented by the same traffic

management company or an Accredited Traffic Controller, strictly in accordance with the TMP and conditions attached to the MoA.

2. If the event involves the use of a Council Road for a festival, cycling event, marathon, or other non-road activity, further Council permission is required. The Event Organiser is responsible for ensuring that the event complies with the requirements and conditions attached to such permission.
3. The Event Organiser is responsible for providing adequate parking for expected attendees and must include detailed parking and public transport information in event promotions.
4. Vehicles are not permitted on the event site unless prior written approval has been obtained from Council or in the case of an emergency.
5. If the event or associated road closures impact public transport services (e.g. local buses), the Event Organiser must notify Public Transport Victoria (PTV)<sup>xxxiii</sup> at least 120 days prior to the event. A Public Transport Plan<sup>xxxiv</sup> must be developed in consultation with local public transport providers. A copy of PTV approval must be submitted to Council prior to the event.
6. The Event Organiser must check for any road rehabilitation or construction works that may affect the event by contacting Council or the relevant road authority before the event.
7. If the event will impact a road that is not a Council Road, permission from the relevant road authority is required (typically Department of Transport and Planning (DTP)<sup>xxxv</sup> for freeways, highways and arterial roads (M, A, B, C roads), or Department of Energy Environment and Climate Action (DEECA) for forest and other roads on public land). A copy of any permit must be submitted to Council prior to the event.
8. A permit from Victoria Police<sup>xxxvi</sup> is mandatory for events involving foot or bike races on public roads (including rolling closures) or activities involving collecting money from vehicles at road intersections. A copy of this permit must be submitted to Council prior to the event.
9. The Event Organiser may be subject to Traffic Management Plan application fees set by Council.

## FIREWORKS DISPLAY (IF APPLICABLE)

1. The Event Organiser must obtain all necessary approvals and notifications from the relevant authorities, including WorkSafe<sup>xxxvii</sup> and Fire Rescue Victoria (FRV), prior to the launch of any fireworks display, and provide Council with all associated documentation<sup>xxxviii</sup>.
2. The Event Organiser must obtain written consent from Council before using Council-owned land as a fireworks launch site. This consent is subject to meeting the following conditions, including submitting the required documentation to Council at least seven days prior to the event:
3. A current Certificate of Currency for Public Liability Insurance in the name of the pyrotechnics operator, with a minimum coverage amount of \$20,000,000.
4. Evidence of written notification to all properties within a 1000 metre radius of the proposed fireworks display site, delivered at least seven days prior to the event. Notifications must be placed in letterboxes, newspaper holders, or under front doors of premises. It is strongly recommended that such notifications include advisory warnings to pet and livestock owners regarding the time and location of the fireworks display.
5. A copy of the "Notification of Intention to Discharge Fireworks" form submitted to Work Cover Victoria and the Country Fire Authority.
6. Confirmation that the licensed pyrotechnician named in the application will be responsible for overseeing the fireworks display.



7. A Schedule 14 Permit issued pursuant to Section 38 of the Country Fire Authority Act 1958 for the duration of the Fire Danger Period, where applicable.
8. The discharge of fireworks must not occur, or must cease immediately, under the following circumstances:
  - a. On days declared as a total fire ban, unless specific permission is granted by the Chief Officer of the Country Fire Authority via a Schedule 40 Permit.<sup>xxxix</sup>
  - b. If the Country Fire Authority assesses local conditions as unsafe for the discharge of fireworks.
  - c. During an EPA Smog Alert.
  - d. If the licensed pyrotechnician is unable to directly supervise the fireworks discharge.
  - e. The discharge of fireworks must cease no later than 10:30 PM on the day of the event.

## TERMS & CONDITIONS REFERENCES:

<sup>i</sup> [Baw Baw Shire Council Bookable – Venue Hire](#)

<sup>ii</sup> [DEECA – Events on public land](#)

<sup>iii</sup> [Events and filming on roads – Transport Victoria](#)

<sup>iv</sup> [Parks Victoria Events and filming permits](#)

<sup>v</sup> Place of Public Entertainment Email: [POPE@bawbawshire.vic.gov.au](mailto:POPE@bawbawshire.vic.gov.au)

<sup>vi</sup> Mayor & Councillor Support Email: [Mayor.andCouncillorSupport@bawbawshire.vic.gov.au](mailto:Mayor.andCouncillorSupport@bawbawshire.vic.gov.au)

<sup>vii</sup> [Occupational Health and Safety Act 2004 | legislation.vic.gov.au](#)

<sup>viii</sup> [Australian animal welfare standards and guidelines | Animal welfare | Animal Welfare Victoria | Livestock and animals | Agriculture Victoria](#)

<sup>ix</sup> [www.health.vic.gov.au/patient-care/first-aid-services](http://www.health.vic.gov.au/patient-care/first-aid-services)

<sup>x</sup> [Electrical safety | WorkSafe Victoria](#)

<sup>xi</sup> [BBSC Community Event Planning Guide](#)

<sup>xii</sup> [Gas storage at public events | WorkSafe Victoria](#)

<sup>xiii</sup> [Dial before you dig www.byda.com.au](http://www.byda.com.au)

<sup>xiv</sup> [Civil Aviation Safety Authority](#)

<sup>xv</sup> [Environment Protection Act 2017 | legislation.vic.gov.au](#)

<sup>xvi</sup> [Victorian legislation | legislation.vic.gov.au](#)

<sup>xvii</sup> [Prescribed temporary structures | Victorian Building Authority](#)

<sup>xviii</sup> <https://www.worksafe.vic.gov.au/land-borne-inflatable-amusement-devices>

<sup>xix</sup> <https://www.worksafe.vic.gov.au/amusement-rides>

<sup>xx</sup> [Amusement ride hire checklists | WorkSafe Victoria](#)

<sup>xxi</sup> [Food Act 1984 | legislation.vic.gov.au](#)

<sup>xxii</sup> [Homepage – FoodTrader](#)

<sup>xxiii</sup> <https://foodtrader.vic.gov.au/user-guide/statements-of-trade>

<sup>xxiv</sup> [Food trucks and market stalls](#)

<sup>xxv</sup> BYO Alcohol Permit – [Application for a General Permit](#)

<sup>xxvi</sup> [Apply for a liquor licence | vic.gov.au](#)

<sup>xxvii</sup> [BBSC Community Event Planning Guide – Healthy Catering Guide](#)

<sup>xxviii</sup> [Sustainable Event Checklist](#)

<sup>xxix</sup> [About Child Safe Standards | vic.gov.au](#)

<sup>xxx</sup> [Worker Screening Act 2020 | legislation.vic.gov.au](#)

<sup>xxxi</sup> Child Safety Officer Email – [child.safety@bawbawshire.vic.gov.au](mailto:child.safety@bawbawshire.vic.gov.au)

<sup>xxxii</sup> [Baw Baw Shire Council – Traffic Management](#)



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xxxiii Public Transport Victoria (PTV) <https://www.ptv.vic.gov.au/>

xxxiv Public Transport Victoria (PTV) Notification - <https://www.ptv.vic.gov.au/more/event-information/tell-ptv-about-your-event/>

xxxv VicRoads / Department of Transport (DTP) Permits for Use of Arterial Roads, Highways, Freeways - <https://transport.vic.gov.au/>

xxxvi Victoria Police Permit for Foot/Bike Races or Money Collection - <https://www.police.vic.gov.au/permits-events>

xxxvii [Using fireworks | WorkSafe Victoria](#)

xxxviii [Pyrotechnician licence | WorkSafe Victoria](#)

xxxix [Total Fire Ban Permits | CFA \(Country Fire Authority\)](#)

Baw Baw Shire Council reserves the right to modify, update, or amend these Terms and Conditions at any time without prior notice. Any such changes will take effect immediately upon being published on this page, unless otherwise specified. It is your responsibility to review the Terms and Conditions regularly to remain informed of any updates. Continued access to or use of Council services following any changes will be deemed as acceptance of the revised Terms and Conditions. Dated: 23.09.2025