



## Spruiking Permit summary and Conditions

### Permit summary

A spruiking permit approves spruiking in public space solely within the City of Melbourne.

As a permit holder, your key responsibilities are to:

- spruik only directly in front of a retail business, not at an outdoor café or in front of a restaurant
- limit spruiking to between 8am-7pm on weekdays and 9am-7pm on weekends
- ensure noise is not intrusive and no sound generating devices are used
- not use any form of amplification, unless specifically approved on this permit
- ensure no sales occur on the street.

This summary is subject to any requirements or conditions set out during the application process and subject to the full conditions set out in the permit. We encourage you to take a few moments to read the **full conditions**, as these will impact the conduct of your activities and help you avoid a fine, delays or cancellation of the permit.

You can visit our website for more information on [spruiking permits](#)<sup>1</sup>.

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<sup>1</sup> [melbourne.vic.gov.au/business/grow-business/promote-business/Pages/spruiking-touting.aspx](http://melbourne.vic.gov.au/business/grow-business/promote-business/Pages/spruiking-touting.aspx)

## Permit Conditions

In this permit:

*“we”, “us”, “our” and “Council” refers to Melbourne City Council, “you” and “your” refers to the applicant/permit holder.*

### 1. Compliance

- a. You must comply with all relevant legislation, [Council’s Local Laws](#)<sup>2</sup>, our [Street Activity Policy](#)<sup>3</sup> and [Spruiking Practice Guide](#)<sup>4</sup> and all conditions of this permit.

### 2. Specific conditions

- a. To conduct spruiking at your premises you must hold a spruiking permit, or only employ spruikers who have a permit.
- b. Location
  - i. Spruiking is restricted to locations directly in front of a retail business. Spruiking must not occur at an outdoor café or in front of a restaurant.
  - ii. Occupation or use of the spruiking site must not extend beyond the area approved under this permit.
- c. Safety, amenity and accessibility
  - i. Access must be provided at all times for emergency and essential vehicles.
  - ii. You must maintain adequate clearances and not compromise existing street activity, circulation requirements and road user safety. You must not position yourself or conduct activity that encroaches on the usability of any footpath.
  - iii. You must conduct activities safely and not endanger yourself, the public or any property.
  - iv. Any props, goods or the like must be safely located within the property boundary and not on any footpath.
  - v. Spruiking must not be invasive and you must not tout.
- d. Sales
  - i. You must not sell merchandise from a street. All financial transactions must occur within the premises.
- e. Noise
  - i. Unless approved by us in writing, amplification (the use of an amplifier) is not permitted. “Amplifier” means a device or mechanism capable of increasing or otherwise magnifying the sound of live or pre-recorded speech or voice by the application of an energy source independent of the sound, and includes a loudspeaker, public address system and electronic megaphone.
  - ii. You must not make or allow the making of a noise which is capable of interfering with the reasonable comfort of others. Spruiking should be conducted so that the sound:
    1. is not intrusive above background levels to the degree that a passer-by would have to strain their voice to be heard above the sound;
    2. is not readily audible over other background noise when a person is more than two standard building frontages from the source of sound; and
    3. should not be intelligible from the far side of a four-lane roadway.
  - iii. Spruiking activity should not be intelligible within the functional areas of neighbouring premises such as counter areas of shops or habitable rooms of residences.
  - iv. Sound levels louder than these criteria are capable of interfering with the reasonable comfort of others. Conducting any activity, including shouting, yelling or otherwise raising their voice as to create sound in excess of these criteria will be considered in breach of our Activities Local Law 2019.

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<sup>2</sup> [melbourne.vic.gov.au/about-council/governance-transparency/acts-local-laws/Pages/local-laws-2019.aspx](https://melbourne.vic.gov.au/about-council/governance-transparency/acts-local-laws/Pages/local-laws-2019.aspx)

<sup>3</sup> [melbourne.vic.gov.au/business/permits-and-approvals/street-trading/Pages/street-activity-policy-2011.aspx](https://melbourne.vic.gov.au/business/permits-and-approvals/street-trading/Pages/street-activity-policy-2011.aspx)

<sup>4</sup> [melbourne.vic.gov.au/business/grow-business/promote-business/Pages/spruiking-touting.aspx](https://melbourne.vic.gov.au/business/grow-business/promote-business/Pages/spruiking-touting.aspx)

- v. The use of other sound generating devices as part of or in association with spruiking activity is strictly not permitted. This can include playing musical instruments, using percussive devices or using devices with loudspeakers. Whilst activities using such sound generating devices are generally not permitted, businesses intending to have such activities in association with a special event must have our explicit and written consent.
- f. Hours and duration
  - i. Spruiking is only permitted between 8am-7pm weekdays and 9am-7pm weekends.
  - ii. Continuous spruiking can cause increased nuisance to others. You must consider neighbours and manage your activity so as to provide reasonable rest periods.
  - iii. Location specific restrictions on times and/or duration may be placed as a condition of a permit with respect to the impacts spruiking may have on particular neighbouring premises.

### 3. General conditions

- a. Where required by us, you must maintain a comprehensive [public liability insurance policy meeting our requirements](#)<sup>5</sup> for the duration of this permit.
- b. This permit is not transferable. It must be held on site and be produced on request by an authorised officer of Council or member of Victoria Police. You must comply promptly with any notices and instructions.
- c. Any variation required to a permit must be submitted to and approved by us in writing prior to any change or variation to activities.
- d. This permit does not exempt you from compliance with our Local Laws.
- e. All activities under this permit must be undertaken during the hours stated herein.
- f. You are responsible for ensuring all permit details are correct as no refunds will be considered after the date of permit issue, unless required by law.
- g. We reserve the right to amend, suspend or cancel this permit at any time.

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<sup>5</sup> [melbourne.vic.gov.au/about-council/governance-transparency/policies-protocols/Pages/public-liability-insurance.aspx](http://melbourne.vic.gov.au/about-council/governance-transparency/policies-protocols/Pages/public-liability-insurance.aspx)