



# *Do It Outdoors* *Destinations*

*Activate our spaces*

Expression of Interest (EOI) 2022-2023

# Do It Outdoors Destinations

## Introduction

**Frankston City Council aims to become the epicentre of innovation, growth, industry, modernity and forward thinking. Commercial operators from the municipality are invited to capitalise on our progressive region by setting up temporary, long term commercial operations in specific parks, public spaces and sites located throughout Frankston City.**

It's time to ramp up outdoor activities in Frankston City, and activate spaces to create places. It's time to turn a blank canvas into a destination station.

We are calling on you to activate some of our most popular public open spaces and create energetic, magnetic locations for our community to enjoy on the regular.

Whether your business is to provide a nibble, sip, stomp, chill, play or shop, you can Do It Outdoors and bring your commercial activity to our public open spaces and help us Activate Frankston City.

From yoga in the park and food trucks at dusk, to volleyball on the beach or markets by the bay, our public open spaces are eager to thrive with a packed calendar of outdoor adventures and vibrant urban experiences as part of our Do It Outdoors 2.0 campaign.

IF you share the vision and the passion for what can be, then it's your time to help energise Frankston City Council's Foreshore Reserve, Oliver's Hill Boat Ramp, Ballam Park and Sandfield Reserve, for a twelve month licence in 2022-2023.

We invite you to apply to conduct regular commercial activities and become part of Do It Outdoors Destinations in Frankston City.

The online application form closes 5pm, Sunday 28 August 2022.

Apply here: <https://frankston.smartygrants.com.au/CAPOS2022applications>



# Contents

Introduction	2
1. Activities	4
1.1 Suitable Activities	4
1.2 Activities Not Requiring Approval	4
1.3 Unsuitable and Restricted Activities	4
2. Fees	4
2.1 Activity Licence Fees	4
2.2 Fee Inclusions	5
2.3 Additional Fee-Based Service Opportunities	5
3. Supporting Documentation	5
3.1 Site Plan	5
3.2 Risk Management Plan	5
3.3 Emergency Management Plan	5
3.4 Occupational Health and Safety Plan	5
3.5 Traffic Management Plan	6
3.6 COVIDSafe Plan	6
3.7 Certificate of Currency	6
3.8 Qualifications	6
3.9 Additional Documentation	6
4. Assessment and Approval	6
4.1 Application Completion	6
4.2 Final Approval and Notification	6
5. Conditions	8
5.1 General Conditions	8
5.2 Specific Conditions	8
5.3 Indemnification	8
5.4 Revoking of Licence	8
6. Council Obligations	8
7. Commercial Activity Trading Sites	9
7.1 Frankston Foreshore — High Demand	9
7.2 Oliver's Hill Boat Ramp — High Demand	10
7.3 Ballam Park - High Demand	11
7.4 Sandfield Reserve, Carrum Downs — Medium Demand	12
8. Definitions	13

# Do It Outdoors Destinations



## 1. Activities

### 1.1 Suitable Activities

Suitable activities may include recreational pursuits or the hire of goods and services to open space users. Activities that occur daily, weekly, fortnightly, monthly or follow a fixed schedule are considered regular. Examples of commercial activities include, but are not limited to:

- Sport and Leisure Activities
- Market Operators
- Mobile Food Van Operators
- Children’s Rides
- Outdoor Cinemas

Activities operating in Public Open Space in Frankston City may require additional approval from other agencies and authorities.

### 1.2 Activities Not Requiring Approval

The following activities do not require a licence or approval:

- Emergency services performed by recognised emergency service organisations
- Passive recreational activities
- Informal social gatherings

### 1.3 Unsuitable and Restricted Activities

Approval will not be granted for activities that:

#### Are wholly or partly illegal

- Promote gambling, substance and/or alcohol abuse
- Are exclusive on the basis of age, gender, race, religion, language, and ability unless a legal requirement permits
- Have a moderate to high negative impact on areas of biodiversity importance
- Degrade the amenity of surrounding areas from the generation of noise, disturbance or other causes
- Are detrimental to the image of Frankston City Council
- Frankston City Council reserves the right not to progress any application if deemed to be inappropriate or allocate all available licences should it be believed that applicants are not suitable

Commercial Activities will be highly regulated with strict limitations or exclusions in the following areas:

- Socially or culturally sensitive areas such as memorials, aboriginal heritage sites, and shrines
- Existing public art works
- Identified sensitive foreshore zones
- Tree reserves, garden beds or vegetation protection zones

## 2. Fees

### 2.1 Activity Licence Fees

Fees will need to be negotiated with individual commercial operators based on activity type and demand for location (see location demand table below). Additionally, recreational activity licences will also be required to pay tour operators’ licence fees per head per day where the activity takes place on Crown Land. Licenced operators must therefore maintain a journal and submit trip return documentation and user fee payments.

The Frankston City foreshore reserve is Crown Land and runs from Olivers Hill in Frankston to Keast Park in Seaford and therefore the above tour operator licence requirements apply. Activity placement on the foreshore should align with the recreation/activity nodes specified in the Frankston City Coastal Management Plan.

Please refer to Frankston City Coastal Management Plan web link: <http://www.frankston.vic.gov.au>

#### Location demand

Frankston Foreshore	High Demand
Olivers Hill Boat Ramp	High Demand
Sandfield Reserve	Medum Demand
Ballam Park	High Demand

### 2.2 Fee Inclusions

Council will endeavour to promote licenced activities at least once through one or more of the following forums:

- Frankston City News
- Frankston City eNews (event/activity listing at the bottom of an edition)
- Council Website
- Council Facebook and Instagram Page

### 2.3 Additional Fee-Based Service Opportunities

The Frankston Visitor Information Centre offers a booking service. A commission and cost is negotiable on application. If you are interested in this opportunity please nominate this on your application form.

## 3. Supporting Documentation

### 3.1 Site Plan

The Site Plan is to include all details of the location, the infrastructure and resources to be used on site as well as the placement / location of each item. The Site Plan must also include map/s indicating and detailing the dimensions of the area utilised exclusively and non-exclusively during your activity.

### 3.2 Risk Management Plan

Risk Management is a process to identify, assess and respond to risks that may impact on your Activity; it must include your safety procedures. Please note that a high level of detail is expected for activities with a high degree of risk.

The Risk Management Plan is to include a matrix identifying risks, measures to minimise those risks and consider risks to the general public as well as participants.

### 3.3 Emergency Management Plan

An Emergency Management Plan outlines how you will respond in the event of an emergency. The larger the number of people involved, the more complex this Plan is anticipated to be.

The Plan must consider but is not limited to:

- Access and Evacuation Routes
- Personnel responsible in Emergencies and Evacuations
- Emergency Service Meeting Points
- Ambulance and Emergency Vehicle Loading Areas.
- Details of the following must be included:
  - Hospitals prepared for major incident
  - Emergency Services – 000
  - Other relevant emergency numbers
  - After hours Council related emergencies – 1300 322 322

### 3.4 Occupational Health and Safety Plan

An Occupational Health and Safety Plan should provide clear and documented safe work procedures for each of the tasks within the organisation.

It should include but is not limited to:

- Assessment of Risk and Hazard that leads to prevention and response strategies
- Defined responsibilities for each employee regarding Health and Safety
- General workplace rules for Health and Safety
- Regular inspections of the workplace using checklists based on the Risks and Hazards Analysis
- Provision for staff orientation including clear introduction to the tasks required
- Appropriate work practices



# Do It Outdoors Destinations



### 3.5 Traffic Management Plan

A Traffic Management Plan should detail any impacts on traffic movement and parking arrangements and how these will be mitigated.

It should detail any provisions made for emergency vehicles, heavy vehicles, cyclists and pedestrians.

Where additional traffic will be very minimal, traffic management may be described as use of existing parking with no anticipated impact on usual traffic flows or pedestrian use.

### 3.6 COVIDSafe Plan

A COVIDSafe Plan detailing how you will meet all the requirements set out by Government authorities.

### 3.7 Certificate of Currency

The Operator must take out and keep current insurance cover in the name of the Operator and noting the interest of Frankston City Council for public liability for an amount of not less than \$10 million. Depending on the nature of the commercial activity, Council may require an amount of not less than \$20 million. Council may also request additional parties to be noted on the insurance cover, depending on its location.

The operator will be required to provide evidence of insurance cover in the form of a Certificate of Currency upon appointment and then annually on renewal and from time to time as requested by Council.

### 3.8 Qualifications

Documentation demonstrating current qualifications pertinent to the application activity must be presented as part of the application. Once awarded, it is the applicant's responsibility to maintain current qualifications and certificates for all activities that the licence is granted for.

### 3.9 Additional Documentation

Council reserves the right to request further documents following the initial application. These may include, but are not limited to:

- Resident notifications
- Waste Management Plans
- Alcohol Management Plans

## 4. Assessment and Approval

### 4.1 Application Completion

Applicants must submit a completed Commercial Use of Public Open Space Expression of Interest Application Form.

### 4.2 Final Approval and Notification

Applicants will be notified in writing about the success of their application when all requirements are completed, with successful applicant permits issued to take effect by 1 November 2022 for a twelve (12) month period. NB: This may be different or delayed for locations requiring ministerial approval.

### Applications should demonstrate the following:

#### Community Benefit

- Ability to enhance community connectedness and health and wellbeing of community members
- Contribution to a diverse range of outdoor recreation opportunities for residents and visitors
- Accessibility and inclusiveness

#### Site Suitability

- Compatibility with the land purpose, or any Plans of Management
- Ability of the location to support the activity
- Ability to activate less used sites
- Ability to activate sites in non-peak periods

#### Public Safety

- Ability to provide appropriate safety requirements and Duty of Care

#### Control of Environmental Impact

- Demonstrated history and experience of environmentally sustainable operations and conservation practices, including but not limited to:
  - Protection of flora and fauna
  - Ability to maintain the site in the same or improved condition
  - Minimisation of noise and other pollution
  - Providing a Waste Management Plan if requested

#### Control of Community Impact

- Minimisation of impact on free community access to Public Open Space
- Minimisation of disruption and disturbance
- Ability to manage traffic flows and parking
- Ability to manage community expectations

#### Economic Benefit

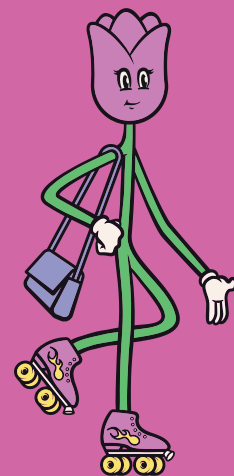
- Ability to stimulate economic activity in less activated sites
- Minimisation of negative economic impact on other businesses in the Frankston City
- Ability to generate tourism and/or broader economic benefit to the Frankston Municipality
- Ability to stimulate transference of visitation to activity centres
- Ability of the activity to utilise existing infrastructure without impacting on Council's maintenance costs or attracting higher insurance premiums/excess

#### Ability to meet the Licence Conditions of Council

- Demonstrated experience in having the capacity to meet licence conditions, including the keeping/maintaining of records and prompt payment of fees
- Demonstrated successful experience in the activity to a high professional standard



# Do It Outdoors Destinations



## 5. Conditions

### 5.1 General Conditions

- Applicants are permitted to apply for an annual licence
- Licences issued by Frankston City Council are non-transferable to any other party
- Refunds for a licence will only be granted if applied for in writing no less than 14 days prior to the commencement of the licence
- Advertising and signage for licence holders will be limited to that on their vehicles and equipment unless they choose to apply for an A-frame permit (permits are available on application which will incur an additional charge)
- All vehicles must be located in an approved location
- All licence holders must cooperate and be aware of other commercial providers in the area
- Planning Permits and permits for land use may be necessary for the licensee to obtain before commencement of commercial activities
- Operators are solely responsible for obtaining all permits/licences/approvals that are not administered by Council.

The permit period is 1 November 2022 to 31 October 2023 unless otherwise specified and agreed.

### 5.2 Specific Conditions

The specific conditions of an individual licence will outline:

- The size and space permitted for the activity. Licence holders are not permitted to use areas outside of their designated space/area
- The permitted days and times that the activity can be run
- Parking restrictions and regulation
- If marques or other structures are permitted

### 5.3 Indemnification

To indemnify the Council:

- A bond may be requested depending on the type of activity
- Compensation will need to be made to the Council by licence holders in the case of damage, loss or injury in the form of direct payment or reimbursement

### 5.4 Revoking of Licence

The Council reserves the right to revoke any licence in any of,

but not limited to, the following circumstances:

- Management reasons including, but not limited to, environmental protection, public safety and changes in policy or legislation
- If the licence holder breaches conditions of the policy
- If the licence holder commits an unlawful act
- If any fees are withstanding 30 days after the due date
- If proof of current Public Liability Insurance cover is not provided prior to or during a licence period
- If the licence holder has purposely provided false or misleading information that is crucial to the success of the application
- If the licence holder receives three written warnings in the same period
- If the licence holder does not cooperate with other commercial providers using the same space/area or purposely causes significant disruption to other commercial providers running their business
- If the operator does not maintain COVID safety standards as per regulations.

Where the Activity takes place on Crown Land e.g. Frankston Foreshore, please refer to the Tour Operator Licence Conditions as per web link below: <https://www.forestsandreserves.vic.gov.au/tour-operators>

## 6. Council Obligations

Intellectual property such as Risk Management formats provided by applicants to the Expression of Interest process will be shared with the internal Frankston City Council Evaluation Panel for the EOI process and then as required with relevant Council officers. It will not be shared publicly or with other commercial entities with similar interests.

## 7. Commercial Activity Trading Sites

### 7.1 Frankston Foreshore- High Demand

The Frankston Foreshore Reserve (22.7 hectares) stretches along the coastline for five kilometres from Long Island Tennis Club to Krackeraboite Creek at Davey's Bay. Offering areas of significant natural flora and fauna and a clean family-friendly beach which has won several Keep Australia Beautiful awards.

#### Highlights include:

- Restaurants, yacht and lifesaving clubs
- Award-winning Frankston Beach
- Beach lockers
- Boardwalks
- Car parking (fees and time limits apply)
- Award-winning Frankston Visitor Information Centre
- Indigenous plants
- Kananook Creek boat ramp (permit required)
- Picnic tables and barbecues, all abilities BBQ
- Playground
- Public toilets
- Coast Guard
- Beach wheelchair

### Types of Activities Sought

Sport and Leisure Activities, Market Operators (including twilight series), outdoor cinemas and other attraction based activations.

### Permit Fees - High Demand Location

Operators will need to indicate the maximum they would be willing to pay for the site.

Fees will be negotiated with individual commercial operators based on activity type and demand for location.

### Activity Impact

Medium	<ul style="list-style-type: none"><li>• Medium use of existing infrastructure.</li><li>• Use of temporary infrastructure.</li><li>• High regularity or length of activity occurrence.</li><li>• E.g. Equipment hire and / or instruction.</li></ul>
--------	---





# Do It Outdoors Destinations



## 7.2 Oliver’s Hill Boat Ramp - High Demand

Oliver’s Hill Boat Ramp.

### Highlights include:

- Car parking (restricted area; cannot park in boat car parks without a watercraft trailer attached)
- Public toilets

### Types of Activities Sought

Mobile or pop up food operator.

### Permit Fees - High Demand Location

Operators will need to indicate the maximum they would be willing to pay for the site.

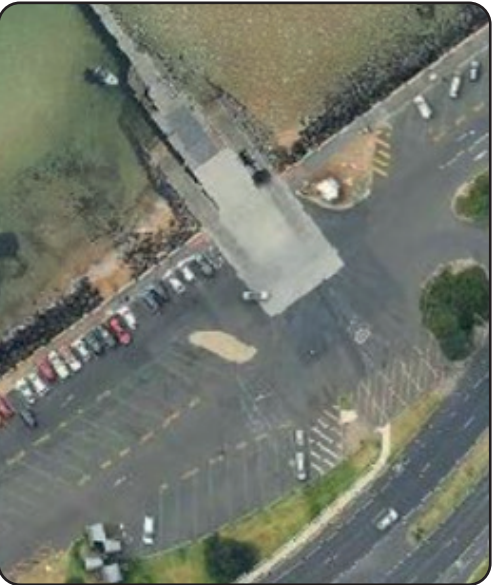
Fees will be negotiated with individual commercial operators based on activity type and demand for location.

### Considerations

There is one site available in this location.

### Activity Impact

High	<ul style="list-style-type: none"><li>• Large spatial requirement or large groups of people at once. High use of existing infrastructure or large quantities/size of temporary infrastructure.</li><li>• E.g. Motorised activity.</li></ul>
Medium	<ul style="list-style-type: none"><li>• Medium use of existing infrastructure.</li><li>• Use of temporary infrastructure.</li><li>• High regularity or length of activity occurrence.</li><li>• E.g. Equipment hire and / or instruction.</li></ul>
Low	<ul style="list-style-type: none"><li>• No temporary infrastructure.</li><li>• Low use of existing infrastructure.</li><li>• No exclusive use zone.</li><li>• E.g. Group fitness training</li></ul>



## 7.3 Ballam Park - High Demand

Ballam Park provides a great day out for people of all ages, with two regional playground areas, 30 hectares of open areas and sporting fields including a premier athletics track, AFL, soccer and cricket.

### Highlights include:

- Barbecues with shaded areas (free - bookings not available)
- Basketball ring
- Playground
- Dog free roam area
- Dog Agility Park
- Public toilets
- Walking track
- Tennis wall

### Types of Activities Sought

Mobile food van operators, sports and leisure activities, other attraction based activations.

### Permit Fees - High Demand Location

Operators will need to indicate the maximum they would be willing to pay for the site.

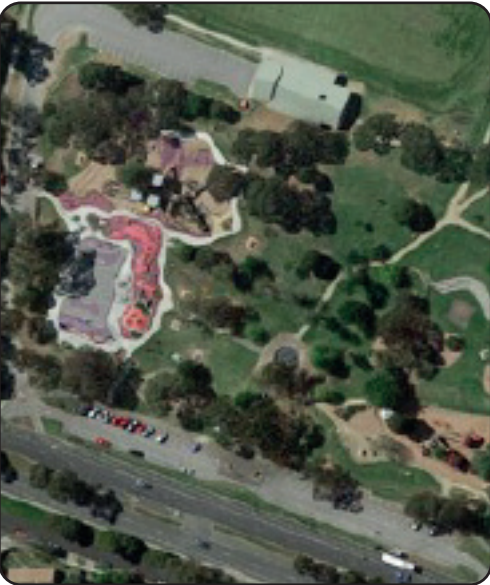
Fees will be negotiated with individual commercial operators based on activity type and demand for location.

### Considerations

Please note there are currently two sites available for mobile food vendors.

### Activity Impact

High	<ul style="list-style-type: none"><li>• Large spatial requirement or large groups of people at once. High use of existing infrastructure or large quantities/size of temporary infrastructure.</li><li>• E.g. Motorised activity.</li></ul>
Medium	<ul style="list-style-type: none"><li>• Medium use of existing infrastructure.</li><li>• Use of temporary infrastructure.</li><li>• High regularity or length of activity occurrence.</li><li>• E.g. Equipment hire and/or instruction.</li></ul>
Low	<ul style="list-style-type: none"><li>• No temporary infrastructure.</li><li>• Low use of existing infrastructure.</li><li>• No exclusive use zone.</li><li>• E.g. Group fitness training.</li></ul>





# Do It Outdoors Destinations



## 7.4 Sandfield Reserve, Carrum Downs - Medium Demand

Sandfield Reserve provides a great day out for people of all ages, with play equipment, basketball ring, tennis wall and skate park. There is also a dog free roam area dog agility park.

### Highlights include:

- Basketball ring
- Playground
- Dog free roam area
- Dog Agility Park
- Skate Park
- Walking track
- Tennis wall

### Types of Activities Sought

Mobile or pop-up food operator, sport and leisure activities and other attraction based activations.

### Permit Fees - Medium Demand Location

Operators will need to indicate the maximum they would be willing to pay for the site.

Fees will be negotiated with individual commercial operators based on activity type and demand for location.

### Considerations

There are no public toilets in this reserve.

### Activity Impact

High	<ul style="list-style-type: none"><li>• Large spatial requirement or large groups of people at once. High use of existing infrastructure or large quantities/size of temporary infrastructure.</li><li>• E.g. Motorised activity.</li></ul>
Medium	<ul style="list-style-type: none"><li>• Medium use of existing infrastructure.</li><li>• Use of temporary infrastructure.</li><li>• High regularity or length of activity occurrence.</li><li>• E.g. Equipment hire and / or instruction.</li></ul>
Low	<ul style="list-style-type: none"><li>• No temporary infrastructure.</li><li>• Low use of existing infrastructure.</li><li>• No exclusive use zone.</li><li>• E.g. Group fitness training.</li></ul>



## 8. Definitions

In all specifications the following definitions apply unless expressly stated:

- 8.1** "Council" means Frankston City Council.
- 8.2** "Month" means one calendar month.
- 8.3** "Licence Period" refers to 1 November 2021 to 31 October 2022.
- 8.4** "Regular commercial activity" includes any organisation or individual using an open space in order to deliver a product or service where a fee is charged and the aim is to make a profit.  
The activity occurs on a regular basis, such as daily, weekly, fortnightly, monthly, or follows a fixed schedule.
- 8.5** "Public Open Space" is land set aside for leisure and nature conservation including parks, gardens, reserves, waterways, and other spaces in public ownership. It may also include public roads and car parks in the Frankston municipality.
- 8.6** An "event" is a commercial or community activity that takes place on a one off basis or over a number of consecutive days in a Public Open Space.
- 8.7** "Market" is an event where groupings of stalls convene for the purpose of selling goods. These markets may be one off or held on a regular basis.

- 8.8** "Crown Land" is land that is owned by State Government. This includes: Crown Land held under lease, licence; community managed reserves; lands retained in public ownership for environmental purposes; lands within the Crown public roads network; and other unallocated lands.
- 8.9** "Passive Recreation" includes activities undertaken by any person for enjoyment in their own free time, and which are not based on formal competition or organised administration.  
Traditionally, these activities have centred on such activities as children's playgrounds and play equipment, kick-about spaces, BBQ and picnic facilities, walking, cycling, jogging, and alike.
- 8.10** A "Licence" gives permission to the holder to carry out a permitted activity without the right to exclusive occupancy of the land.
- 8.11** "Group Fitness Training" is where groups are sized from two (2) to fifteen (15) participants.





*Activate  
our spaces*

**Frankston City Council**

[frankston.vic.gov.au](http://frankston.vic.gov.au)  
[business@frankston.vic.gov.au](mailto:business@frankston.vic.gov.au)  
1300 322 322

PO Box 490  
Frankston  
VIC 3199