

Extended Outdoor Dining and Entertainment Guidelines



Version 1

Lifestyle Capital of Victoria

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Introduction

Frankston City Council (Council) understands the immense challenges the COVID-19 (Coronavirus) pandemic has placed upon our Frankston City businesses.

We acknowledge many industries have been significantly impacted including our hospitality sector – which is considered the lifeblood of our Frankston City culture.

Therefore, we are committed to actively supporting businesses in welcoming the community safely back to our cafes, restaurants, pubs and clubs.

To help us do this, the Victorian Government has introduced an \$87.5 million Outdoor Eating and Entertainment Package to which Frankston City Council is eligible for up to \$500,000 in funding.

This funding will help Council enhance outdoor dining opportunities throughout the municipality via a detailed assessment of each business' individual needs, interests and capabilities.

It will also assist Council to provide streamlined permit processes to enable as many hospitality venues as possible to trade outdoors.

We have designed Frankston City's Extended Outdoor Dining Guidelines to assist hospitality venues in applying for a permit so that they can safely expand their outdoor dining areas into approved public spaces such as kerbside or parklets, all while operating within the Victorian Government's health restrictions.

Additionally, hospitality businesses can apply for a \$5000 Victorian Government grant for equipment needed to operate outside, such as umbrellas, outdoor furniture and screens, once a Council outdoor dining permit has been granted.

About the Guidelines

The Extended Outdoor Dining Guidelines provide hospitality venues with details about the permit application process, assessment criteria and decision-making framework for approving applications and issuing a permit. A permit is required to operate an outdoor café or dining area in a public place, dependant on the location this may be in addition to a planning permit.

These guidelines aim to ensure the application process is clear and simple plus provide contact details for your specific assigned 'Precinct Officer' and for our Business Concierge Service should you require any further assistance with the permit application.

Council welcomes applications from businesses to extend trading onto footpaths, laneways, parklets (eligible on-street car parking spaces) and allow customers to dine or await the purchase of consumable goods safely and at an appropriate social distance.

The guidelines are intended to help provide businesses with a clear understanding of the prerequisites prior to completing the application so they can comply with COVIDSafe Plans and requirements under the Victorian Government Industry Restart Guidelines.

Program Objectives

The objective of the Extended Outdoor Dining Program is to help hospitality businesses cater to more customers viably within the Victorian Governments COVID-19 health restrictions.

The increased outdoor dining and expanded permit process will enable eligible businesses to begin serving customers outside once all criteria in the third step of the Victorian Government's roadmap to reopening have been met.

Industry restart guidelines for the hospitality sector are available on the business.vic.gov.au website.

The Extended Outdoor Dining program aims to create a safe, accessible, vibrant and sustainable city for the community to return to.

Eligible Businesses

Eligibility for Extended Outdoor Dining will be assessed based on the following criteria:

The business applicant must:

- Operate a business with premises located and registered within the Frankston Municipality
- Operate from a commercial premises (residential and mobile premises are not eligible)
- Operate a licensed or unlicensed restaurant, café, pub/tavern, bar, club and/or takeaway venue
- Have a valid Class 2 or 3 Service Sector Certificate of Registration under the Food Act 1984 (Vic) issued by Frankston Council and valid in 2020 if the business serves food to patrons, or
- A relevant Liquor Licence if a business serves alcohol without food service (e.g. a cellar door or wine bar), or
- A Class 2 or 3 Service Sector Certificate of Registration under the Food Act 1984 (Vic) and the relevant Liquor Licence if the business serves both food and alcohol to patrons
- Operate a designated space on premises for customers to consume food or alcohol service as at 13 September 2020
- Maintain management of social distancing practices using the two square rule for outdoor dining spaces
- Operate an outdoor dining area that does not negatively impact on pedestrian access, residents and essential service vehicles.

Know your Precinct Officer

Council has established an Outdoor Dining and Entertainment Taskforce inclusive of '**Precinct Officers**' who are responsible for working directly with and supporting businesses to identify outdoor dining opportunities available to them.

Precinct Officers are currently contacting all café and restaurant businesses within the Frankston municipality to understand their interest in expanding their business outdoors. This includes current outdoor dining permit holders and non-permit holders.

If you have not yet spoken with your designated Precinct Officer, please contact Council's Business Concierge on:

Business Concierge:

businessconcierge@frankston.vic.gov.au

1300 322 322

You can also submit an online enquiry [here](#)

Your Precinct Officer will help you to:

- Identify suitable locations for your business to expand on the kerbside or into laneways and streets, parks and reserves;
- Assess the requirement and need for a Council funded Parklet;
- Will work with internal Council stakeholders to ensure the permit approval process is as fast as possible.

How To Apply

Applications to extend outdoor dining open on X October 2020. Businesses are able to apply online by visiting the Council [website](#).

Information required to complete the online application form:

- Contact details (who is managing this project on behalf of the business)
- Business details
- A clear and detailed site plan of the extended outdoor dining area (including the red line area if applicable) at a scale of 1:100. This detailed site plan must also clearly stipulate how the business will manage the four and two square metre rule requirement and identify placement of all furniture and/or infrastructure.
- Insurance certificates of currency including confirmation that public liability insurance extends to the area to be occupied as defined within the detailed site plan and permit to be issued.
- Evidence of support by neighbouring businesses where applicable

Support to complete your application

Frankston City Council's Business Concierge is a free service offered by Council to guide and assist businesses through the permit approval process.

The Business Concierge can assist with:

- Providing all the information you require to re-open your business as we progress through the Victorian Governments Roadmap and associated stages.
- Help you to understand what permits you require
- Completing and submitting these applications where required
- Providing advice on other aspects of running your business

In addition to the Business Concierge Service, Council has temporarily appointed Precinct Officers who are responsible for supporting you to identify suitable locations to operate your expanding outdoor dining. See above 'Know Your Precinct Officer'.

If you have not yet heard from your dedicated Precinct Officer, please contact the Business Concierge Service to get in touch.

Business Concierge:

businessconcierge@frankston.vic.gov.au

1300 322 322

You can also submit an online enquiry [here](#)

Application Assessment

Frankston City Council is committed to reactivating its streets and laneways by supporting your businesses to establish outdoor dining as quickly as possible.

Businesses must ensure all required information is submitted within their online application to allow Council to quickly assess and process your application.

Council will aim to process all applications within the following indicative timeframes:

Permit 1 – Extending onto footpath in front of neighbouring property/s	Up to 3 business days
Permit 2 – Extending into on-street car parks in front of and/or adjacent to your business (Parklet)	Up to 15 business days
Permit 3 – Extending into on-street car parks in front of and/or adjacent to your business (No Parklet)	Up to 15 business days
Permit 4 – Extending outdoor dining into laneways, streets and roads	Up to 15 business days
Permit 5 – Extending into parks, open space, nature strips or reserves	Up to 15 business days
Permit 6 – Extending outside dining on private land	Refer to the Business Concierge for applicable timeframe

Guiding Principles

This sections provides design guidance to assist with the preparation of concept designs / site plans extended outdoor dining activations.

Safe and Accessible

The primary function of a footpath is to allow safe, secure and dignified access for all pedestrians. Frankston City Council has a responsibility to provide access for all consistent with the *Disability Discrimination Act 1992*.

Through the Guidelines, Council seeks to improve awareness that the concept of ‘Access for All’ embraces the whole community – including persons with a disability, older persons, people with prams/strollers, individuals with temporary mobility injuries, customers with shopping trolleys, or those providing delivery/courier services, etc.

These Guidelines acknowledge that the use of public footpaths (or other) for outdoor dining is a privilege afforded to business operators and not a right. The Guidelines also encourage businesses to strive for best practice in accessibility.

The Guidelines also seek to protect pedestrians, motorists and businesses from harm resulting from unsafe layout or equipment.

Vibrant

The appearance of footpaths, street furniture and outdoor dining contributes to the impression of a centre and its overall attractiveness as a place to stop, relax and shop.

All infrastructure must be of the highest quality, well designed and reflect the desired image and identity of the centre. They must also be compatible with existing streetscapes and street furniture.

These Guidelines encourage businesses to strive for best practice in how they present themselves and specifically how they undertake outdoor dining.

Sustainable

Through the development and implementation of these Guidelines, Frankston City Council is seeking to provide clarity of the application process for businesses seeking to use footpaths, laneways, streets and other areas for extended outdoor dining and entertainment activities.

Council will work alongside businesses to ensure both the wider community and the business community are aware of their respective rights and obligations when using public land.

Through these processes, Council aims to reduce any potential conflict between footpath users and vehicular traffic by better managing and meeting expectations.

These Guidelines encourage outdoor dining where the activities reinforce the three pillars of sustainability – social, environmental and economic.

Outdoor Dining Permits

Permit 1 – Extending onto footpath in front of neighbouring property/s

You can apply to extend your outdoor dining area to include the space next door to your business where there is unoccupied space available.

Prior consent from the property owner or body corporate and occupier of the neighbouring property/s must be obtained and included as part of your application. Your designated Precinct Officer is able to support these conversations where required.

Permit 2 – Extending into on-street car parks in front of and/or adjacent to your business using Parklets

Council will be supporting the repurposing of car parking bays across the city centre and broader municipality, temporarily transforming them into green, outdoor dining and seating areas otherwise known as ‘Parklets’.

Council’s Parklet Program is a collaboration between Council and the Victorian State Government to support hospitality businesses in providing a safe and physically distanced environment for patrons during the phased easing of COVID-19 pandemic restrictions.

At no cost to eligible businesses, Parklets will be installed from November 2020.

Businesses are strongly encouraged to speak with their Precinct Officer prior to submitting an application for extended outdoor dining inclusive of a Parklet. Parklet Expression of Interest Guidelines and Eligibility Requirements can be found [here](#).

Permit 3 – Extending into on-street car parks in front of and/or adjacent to your business

Council will be supporting the repurposing of car parking bays across the city centre and broader municipality, temporarily transforming them into green, outdoor dining and seating areas where there is a need to expand outdoor dining capacity but does not require the use of a Parklet.

A Parklet would not be required if the identified car parking space/s meet DDA requirements.

If you are seeking to apply for this Type 3 Permit, please speak with your Precinct Officer prior to submitting your online application to address site specific considerations and requirements that must be met. Precinct Officers will work collectively with all impacted businesses to assess opportunities available.

Permit 4 – Extending outdoor dining into laneways, streets and roads

Businesses located near a Council owned and managed laneway can apply to temporarily close part or all of the laneway for use of outdoor dining and entertainment.

Closure of streets and roads will also be considered where there are clusters of hospitality businesses operating within the same area, therefore diminishing the opportunity to operate within the kerbside alone.

If you are seeking to apply for this Type 4 Permit, please speak with your Precinct Officer prior to submitting your online application. Precinct Officers will work collectively with all impacted businesses to assess opportunities available.

Permit 5 – Extending into parks, open space, nature strips or reserves

Council will support businesses wishing to occupy open space such as parks, nature strips or reserves for the purpose of a pop-up kitchen and/or bar and entertainment where the intended use is not prohibited by the Planning Scheme and there is no other alternate or practical outdoor dining option available at the normal operating business location.

Prior to submitting a Type 5 Permit application, please speak with your designated Precinct Officer to discuss potential pop-up locations and specific site requirements.

Permit 6 – Extending outside dining on private land

The Frankston Planning Scheme has been amended to facilitate extending outdoor dining on private land. Existing pubs, restaurants, cafes and other food and drink venues can use existing outdoor spaces on private land to accommodate and serve patrons without the need for a planning permit.

Clause 52.18 *State of Emergency and Recovery Exemptions* of the Frankston Planning Scheme outlines the requirements that must be met by businesses in order to benefit from the exemption.

Council's Business Concierge is providing written advice to businesses to confirm that their proposed outdoor dining on private land complies with the Planning Scheme exemption.

Businesses extending liquor service on private land must apply for a [Temporary Outdoor Liquor Licences Private Land](#) through the VCGLR.

To obtain more information please contact Council's Business Concierge.

Business Concierge:

businessconciierge@frankston.vic.gov.au

1300 322 322

You can also submit an online enquiry [here](#)

Permit Duration

All permits issued for the purpose of extended outdoor dining and entertainment will be issued up to 30 June 2021.

Council will continue to monitor the success of the extended outdoor dining activation throughout the permit tenure.

In the event that serious issues arise resulting in compromised access, safety, traffic, parking or noise conditions, Council will have the authority to terminate the permit with notice or without notice, dependant on the specific situation presented.

Permit Fees

Frankston City Council will waive all application and permit fees and charges associated with outdoor dining until 30 June 2021. This will be reviewed in June 2021, with all kerbside trading fees and charges assessed as part of Council's annual budget process.

Outdoor Dining Design and Safety Guidelines

The following guidelines have been established to assist businesses in considering and preparing the layout and implementation of their extended outdoor dining areas.

Safety criteria

To ensure the safety of diners, pedestrians, cyclists and motorists, applications will be reviewed against key road safety criteria to determine site suitability. The following may apply to kerbside dining as well as on-street roadside dining.

Roadside dining can only be considered within the below conditions:

- The speed limit must be less than or equal to 50 km/h on the street, or other temporary speed limit reduction need to be sought subject to approval from Department of Transport
- Streets with straight geometry ensuring adequate sightlines for drivers and road users
- Maintain visibility of the site with vertical elements and reflective measures as well as other traffic management interventions

- Maintain access for other road users, deliveries, essential and emergency vehicle access and property accesses
- Site is more than 10m from an intersection and more than 20m from a signalised intersection
- On street dining would be considered primarily at angle parking for green parking restrictions (time limit or otherwise unsigned), unless the applicant's business has support from surrounding businesses to change other types of signed restrictions to be relocated on a temporary basis, such as red zones (Loading Zones, Truck Zones, Taxi Zones, Mail Zones with the exception of No Stopping areas)
- On street dining is not permitted in Bus zones and Taxi zones.
- On street dining will not be considered where a minimum three metre width for through traffic cannot be maintained.
- On street dining is not permitted within 1 metre of a fire hydrant or 3 metres from a post box, but can be considered at utility panels or storm drains
- Arterial roads and roads owned by VicRoads (Department of Transport) will be subject to a different set of criteria to be advised with consultation with Department of Transport

To be determined together with the support of Frankston City Council Officers and Precinct Officers, the layout of roadside dining must include safety elements and considerations such as:

- A continuous physical barrier provided to live traffic lanes
- All structural elements and barriers with appropriate vertical elements must be fixed and heavy duty to ensure safety of diners.
- The leading barrier treatment must be fitted with hazard markers and reflective treatments to ensure its visibility to oncoming traffic, or other alternative traffic management.
- Appropriate barriers must installed at the edge of the parking space between the adjacent parking bays, and be set back at least 1m from the end of active parking bays for access movements.
- Reflective elements or alternatives measures must be placed along the leading and sections of the roadside dining installation to maintain safety, visibility and accessibility for day and night conditions.
- All roadside dining must be closed adjacent to live traffic lanes to ensure safety of patrons. Entry and exit shall be by the footpath.
- All items must be contained within the envelope of the roadside dining. No items are to extend beyond the barrier line at any height.
- Depending on the speed limit of the street, additional specific safety elements may be specified for installation in order to ensure that the space remains safe from the surrounding traffic.

For all applications, a risk assessment will be carried out by Frankston City Council during the review on a case by case basis, in addition to Council's Traffic Engineers taking into consideration the safety and site specific conditions. In some cases independent road safety audits and/or traffic Management Plans may be required.

Site layout and spacing

The layout of your proposed dining area is important to ensuring your patrons can dine safely and comfortably without impacting other users of the space such as pedestrians and adjoining businesses.

The layout and spacing of your outdoor dining area must:

- Leave a clear and unobstructed path for pedestrians that extends from the property boundary for a minimum of 1800mm. No furniture, signage or other objects are permitted to be placed in this zone.
- Set back all outdoor dining furniture a minimum of 600mm from any adjacent road or car park where outdoor dining is occurring on the kerbside.
- Set back all outdoor dining furniture at least 1500mm from any existing street furniture or other infrastructure such as seats, trees, bins, bike racks, taxi zones, bus stops or service pits.
- Not place any outdoor dining furniture within 2000mm of an intersection or pedestrian crossing.
- Consider how people with wheelchairs, walkers, prams or other mobility restrictions are able to access and use the dining area.
- Accord with physical distancing requirements of DHHS in response to the Covid 19 pandemic.

Furniture and Dining Elements

General requirements

It is strongly recommended businesses consider selecting/purchasing furniture in discussion with Council Officers to ensure a consistent, desirable appearance is achieved for all outdoor dining areas.

All furniture used for outdoor dining purposes must:

- Only be placed in the permitted outdoor dining zone and not extend beyond that zone.
- Only be in place during the normal trading hours of the business. For businesses considering more permanent installations, see the 'Lockable devices in the footpath' section of this document.
- In the opinion of an Authorised Officer of Frankston City Council, contribute positively to the visual amenity of the street and character of the area.
- Not have sharp, pointed, jagged edges, corners or protrusions which may cause injury to persons or act as a trip hazard.
- Not damage the pavement surface.
- Be portable, yet sturdy, windproof and not of a light material that may be blown around.
- Be kept clean and tidy at all times.
- Be removed as requested to do so by an Authorised Officer of Frankston City Council.
- Accord with airflow requirements of the DHHS in response to the Covid 19 pandemic.

Dining Furniture

Council encourages outdoor dining areas that are attractive and comfortable spaces for patrons to enjoy and which can be used for many years to come. As such, furniture proposed to be used for outdoor dining purposes, such as tables, bars and seating must:

- Allow people with wheelchairs, walkers, prams or other mobility restrictions to access and use the dining area.
- Use a design and style that is uniform across the surrounding area.

Furniture that has been typically designed for indoor use or furniture that is constructed solely of plastic will not be permitted.

Lockable devices in the footpath

Outdoor dining infrastructure such as umbrella's, screens and tables may be secured to the footpath using locking devices fixed to the footpath.

Plans and specifications of the proposed items will be required to be lodged with Council as part of your Extended Outdoor Dining Permit.

Locking devices will only be approved where the device lies flush with the footpath (or other as applied) when the outdoor dining activity is not in place on the footpath.

The installation of pre-approved locking devices must occur to minimum standards as defined by Council and must not damage the integrity of the footpath. Any installation will be at the expense of the business operator. On termination of the permitted activity the footpath must be returned to its previous state within 28 days, at the permit holder's expense.

Heating elements

Outdoor heating elements allow patrons to sit and dine comfortably outdoors during periods of cooler weather. If your business would like to use heaters, they must:

- Be undertaken in accordance with Australian Standards.
- Only be used in association with outdoor dining activities.
- Not be positioned where they may present a fire hazard (e.g. in close proximity to awnings/umbrellas).
- Be used in accordance with manufacturer instructions – particularly in relation to required clearances from other combustible objects. Where manufacturer specifications do not exist, then advice from the relevant authority should be obtained to ensure health and safety standards are maintained.
- Be weighted or secured to prevent being blown over.

Planter Boxes

Planter boxes are a great way for businesses to create a more attractive, pleasant outdoor dining area for their patrons and to enhance the streetscape as a whole. Planter boxes provided by businesses in their outdoor dining areas must:

- Use a design and plant selection that is uniform across the surrounding area.
- Not exceed 1200mm in height above the footpath level (including vegetation).
- Not exceed a maximum length of 1000mm.
- Be elevated approximately 150mm above the footpath to allow for drainage and cleaning.
- Not be watered in a manner which results in the growth of mosses, algae or slime moulds on the land or surrounding area in which they are placed.

- Be free of litter, including cigarette butts.
- Not be used to fully enclose a dining area.
- Be weighted or secured to prevent being blown over.

It is the businesses responsibility to ensure all plants are maintained and kept healthy, tidy and attractive. Businesses are responsible for all maintenance including watering, pruning, fertilising, litter removal and plant replacement. Planters are to be kept tidy and clean at all times.

Lighting

Lighting is essential for any business operating or trading at night. Beyond allowing people to see and move freely after nightfall, lighting can contribute to the overall atmosphere and perception of safety of an outdoor environment.

Council officers will assess the Permit application to ensure that the lighting avoids or minimises interference with road safety elements such as traffic lights.

Street lighting is provided across the municipality and will typically provide sufficient lighting.

In relation to applications where no street lighting is present, lighting will need to be provided.

For areas of outdoor dining and entertainment:-

- Within public road reserves and footpaths along roads, lighting should meet Australian Standard AS1158.3:2020 – ‘Lighting for roads and public places, Pedestrian area and lighting’, subcategory PP3; and
- Within areas such as extending into parks, open space, or reserves where no street lighting exists, lighting should meet Australian Standard AS1158.3:2020 – ‘Lighting for roads and public places, Pedestrian area’ and a minimum of lighting subcategory PA2.

For business wanting to use lighting to provide outdoor dining for patrons after dark, the lighting must

- Only be turned on during business trading hours after nightfall. It is the responsibility of the business to ensure the lights are switched off at all other times.
- Be powered from business property.
- Be installed by a licensed electrician.
- Use a single, consistent colour. Multi-coloured lighting will not be permitted.
- Be situated at least 2.5m above the footpath. This also applies to power cables. Any proposal to tape or secure power cables to the footpath will not be permitted.
- Not be excessively bright.

Businesses are encouraged to use solar and rechargeable lighting options which minimise the need for power cables.

Barrier Screens

Many businesses choose to use screens and barriers to make patrons feel more comfortable in windy or high traffic conditions and define their outdoor dining areas. Any barriers or screens proposed to be used in outdoor dining areas must:

- Not exceed 1000mm in height above the footpath level.
- Be elevated approximately 150mm above the footpath to allow for cleaning.

- Not be used to fully enclose a dining area.
- Not display any content considered by an Authorised Officer of Frankston City Council to be derogatory or otherwise inappropriate.
- Be weighted or secured to prevent being blown over.
- Only display business identification content that covers a maximum of 20 per cent of the screen for advertising.

Umbrellas

Umbrellas can provide much needed shade and shelter for patrons dining outdoors and can be easily opened or closed to suit changing weather conditions throughout the day. Any umbrella used for outdoor dining areas must:

- Be located so as not to cause any damage to nearby trees.
- Be removed outside of trading hours
- Be weighted or secured to prevent being blown over.
- Accord with airflow requirements of the DHHS in response to the Covid 19 pandemic.

Temporary Signage

Where a business is undertaking extended outdoor dining activities, the display of Moveable Advertising signage may be permitted for the purpose of communicating safety related messages in addition to outdoor dining furniture.

Any moveable advertising sign must:

- Not be greater than 1.2 metres in height and 0.9 metres in width, or have a total advertising area of 2.16 metres.
- Refer to business operations at street level or partly at street level.
- Be displayed directly in front of the business to which it refers (alternate area's will be considered as applied).
- Not comprise of any moveable parts (e.g. spinning, flapping etc).
- Must be weighted or secured to prevent being blown over.
- Use a colour or colours which contrast with the surrounding areas to ensure that it does not visually blend into the surrounds.

Entertainment

Businesses wishing to create or facilitate outdoor activations and experiences are encouraged to speak with Council to assess opportunities available. Council will assist businesses to prepare safe entertainment and activation programs in accordance with the easing of restrictions, while also ensuring the public feels confident that their health and safety is being protected.

Please speak with your Precinct Officer to explore opportunities available for your business.

Outdoor Kitchens and Bars

The use of outdoor kitchens (and/or bar), barbecues and other forms of cooking in outdoor dining areas may be considered as part of the permit process.

Businesses are encouraged to discuss these options with your Precinct Officer before submitting an application to Council for consideration.

Compliance

COVIDSafe plan

All businesses must have a [COVIDSafe plan](#) in place to ensure they meet their obligations to comply with the Directions of the Chief Health Officer and provide a safe working environment for their staff and patrons that visit their business.

Businesses must comply with the [four and two square metre rules](#) for services accessible to the public, ensure [face coverings requirements](#) are met and [record keeping for COVID-19 contract tracing](#) is maintained.

Businesses are required to detail management of the four and two square metre rules within their detailed site plan.

For the latest information on Victorian Government requirements, please visit:
<https://www.dhhs.vic.gov.au/victorias-restriction-levels-covid-19>

No Smoking

As of 1 August 2017, smoking is no longer permitted in public outdoor dining areas under the Tobacco Act 1987. Outdoor dining areas including extended outdoor dining areas must be smoke-free at all times when food is offered or provided.

Frankston City Council is committed to protecting the community from second-hand smoke, discouraging uptake of smoking behaviour in children and young people by de-normalising smoking behaviours and creating supportive environments for people who are trying to quit or have recently quit by removing smoking cues and triggers.

Council also wishes to improve the outdoor dining experience for its community.

Further information on how to comply as a business in Frankston City can be viewed on our [website](#).

Liquor licensing

Businesses looking to extend their service of liquor to outdoor dining areas are required to apply for a limited liquor licence through the [Victorian Commission for Gambling and Liquor Regulation](#) (VCGLR). The VCGLR are offering a streamlined approach for issuing temporary limited liquor licences on public land, supporting businesses to successfully operate outdoors.

Please note, businesses must hold one of the following permanent licence types to be eligible for an outdoor area temporary licence in relation to a public outdoor area:

- Club licence (full club or restricted club)

- On-premises licence or late night (on-premises) licence
- Restaurant and cafe licence
- Producer's licence
- Renewable limited licence that allows on-premises consumption.

Businesses are required to submit Council endorsed documents to the VCGLR as part of this process.

To ensure this process is simplified, Council will provide businesses with all necessary information as part of Council's fast tracked permit process, including:

- A letter of permission addressed to the VCGLR to apply for a [Public Outdoors Areas - Temporary Limited Licence](#) and
- An endorsed site plan of the extended outdoor dining area.

Businesses will be required to provide Council with the following information when submitting their online Extended Outdoor Dining Permit application:

- A clear site plan of the extended outdoor dining area including red line plan; and
- Proof of public liability insurance

Council will supply the applicant with the VCGLR required documents at the same time as issuing the Extended Outdoor Dining Permit.

Liability and insurance

The permit holder is required to maintain a valid public liability insurance policy noting specifically the interest of Frankston City Council. The policy must insure for the amount of at least 10 million dollars (\$10,000,000) and must cover injury, loss or damage to persons arising out of the activity carried out under the Permit or granting of the Permit.

Frankston City Council may from time to time request a Certificate of Currency from the permit holder. The policy must:-

1. Be a minimum of \$10,000,000 in respect to any single occurrence.
2. Note the interest of Frankston City Council.
3. State the period covered by the insurance policy (ie commencement and expiration date). The policy must be renewed upon expiration.
4. Be in an approved form such as a Certificate of Currency for the policy.
5. Extend to include the area to be occupied as described in the Permit. Council may request confirmation of cover from the insurer.
6. Indemnify and release the Frankston City Council against all liability arising from the use of occupation of the area as outlined in the Permit or the conduct of the permit holder's business by the holder or any of the permit holder's agent including:
 - Any claim made a person for injury, loss or damage arising in any matter;
 - Any loss or damage to any property belonging to the permit holder or other person located in the vicinity of the outdoor dining area caused by the permit holder, or the permit holder's agent; and
 - Any loss, damage, injury or illness sustained or occurred by the permit holder or any of the permit holder's agents.

Maintenance and Cleaning

All businesses conducting outdoor dining in public space must ensure the area is kept in a clean and tidy manner to the satisfaction of Frankston City Council.

Removal of outdoor dining infrastructure

On termination of the Extended Outdoor Dining Permit, all temporary infrastructure must be removed within seven (7) days and the footpath, street, or laneway returned to its previous state at the permit holder's expense, unless alternate arrangements have been agreed in writing by Council.

This infrastructure includes (but is not limited to):

- Tables and Chairs
- Previously approved fixed or semi-fixed items
- Umbrellas
- Glass screens
- Plants
- Kiosks
- Safety bollards
- Or any other item as approved and listed within the Extended Outdoor Dining Permit.

Council will maintain responsibility for the de-installation of all Council owned Parklets.

Should the items not be removed within 28 days, Council has the right to remove them with all costs incurred the responsibility of the Permit holder.