

# Agenda

## Council Meeting

**Wednesday, 25th November 2020**

Commencing at 8.00pm

Council Chamber  
1230 Nepean Highway, Cheltenham

[kingston.vic.gov.au](http://kingston.vic.gov.au)

Julie Reid  
Chief Executive Officer  
Kingston City Council



**Notice** is given that a Meeting of Kingston City Council will be held at 8.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Wednesday, 25 November 2020.

**1. Apologies**

**2. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest**

*Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.*

**3. Planning and Development Reports**

3.1 Economic Recovery: Outdoor Dining Activations..... 5

**4. Confidential Items**

Nil



### **3. Planning and Development Reports**



**Agenda Item No: 3.1**

## **ECONOMIC RECOVERY: OUTDOOR DINING ACTIVATIONS**

**Contact Officer: Tania Asper, Manager City Economy and Innovation**

### **Purpose of Report**

This report provides an update to Council in response to Victoria's Hospitality Roadmap to Reopening which was announced on 6 September 2020. The Roadmap to Reopening outlines and considers the gradual steps to ensure that businesses can open safely and effectively.

This report also responds to the resolution of Council from the 12 October 2020 Special Council Meeting where significant proposals by businesses for the Commercial Use of Council Land (that fall outside of Outdoor Dining Pop-ups) including where Council is the Committee of Management, be considered by Council.

The report also seeks direction from Council to offer a 25% reduction in the fee for Health and Food registrations for the 2021 calendar year.

### **Disclosure of Officer / Contractor Direct or Indirect Interest**

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

### **OFFICER RECOMMENDATION**

That Council:

1. Support the temporary amendment to Clause 6.6 of the Commercial Use of Council Land Policy in order to give the CEO the ability to enter into licences and to issue permits and to allow for the CEO to delegate the ability to enter into licences and to issue permits to the General Manager Planning and Development or General Manager City Assets and Environment, under the Local Government Act 2020 (Vic) and the Crown Land (Reserves) Act 1978 (Vic) in order to support the Victorian Government's Hospitality Roadmap to Reopening where the intent is to provide existing businesses with the ability to have outdoor dining associated with their existing businesses on Council owned and managed land (including as a Committee of Management) to 30 June 2021.
2. Provide in principle support to progress, finalise and grant the applications for extended outdoor dining proposals as outlined in Appendix 1, in the following locations:
  - a. On Peter Scullin Reserve (CA19A Section 24 Parish of Mordialloc) adjacent to Sunny Boy Beach Club Restaurant, 212 Bay Trail Mordialloc (Applicant: BJBAC 2 Pty Ltd Trading as Sunny Boy Beach Club).
  - b. On the Reserve (Namatjira Park, CA 9A Section 7 and CA 9B Section 7 Parish of Mordialloc) adjacent to Clayton Bowls Club, 37A Springs Road, Clayton South (Applicant: Clayton Bowls Club).
  - c. On land being part of Mordialloc Train Station Forecourt (Mordialloc Railway Lot 92) adjacent to Main Street Café, 503-505 Main Street Mordialloc (Applicant: The Trustee for BJBAC Unit Trust Trading as Main Street Mordialloc).

- d. On land known as part of Lot 1 on LP67481 being part of 11 Centreway, Mordialloc (Applicant: BJBAC 5 Pty Ltd and the Trustee for BJBAC 5 Unit Trust trading as Mamma Franca's Pizza Hall).
  - e. On part of Government Road known as Beeson Reserve (CA2216 Parish of Lyndhurst) in proximity to The Crowded Hour Bar, 264 Nepean Highway, Edithvale (Applicant: Muffin Holdings Pty Ltd Trading as The Crowded Hour Collective).
  - f. On land being part of the road known as Florence Street in certificate of title volume 1461 folio 023 adjacent to Just Italy, 48 Como Parade West, Mentone (Applicant: Just Italy Mentone Pty Ltd)
  - g. On land known as part of Lot 3 on LP43809 being the Council car park at 312 Highett Road, Highett adjacent to Public Grind Café, 316 Highett Road, Highett (Applicant: Public Grind – Art Gallery Café)
3. Request the applicant who is seeking to use part of Government Road known as Beeson Reserve (CA2216 Parish of Lyndhurst) develop an engagement strategy to provide Council with the views of the residential properties located in The Esplanade, Edithvale in relation to its proposal. Following receipt of any feedback received from residents Councillors then be briefed on the proposal, prior to a determination on any application.
  4. Endorse the Parklet Guidelines and allow for publication of these to the broader business community and where required make amendments to take account of any modified requirements.
  5. Provide in principle support to progress, finalise and grant applications for parklet proposals that are generally in accordance with the Parklet Guidelines and where required obtain approval from the Department of Transport, in the following locations:
    - a. The Sporting Globe, 590 Main Street, Mordialloc (use of two / three parking spaces)
    - b. Mordialloc Supper Club, 539 Main Street, Mordialloc (use of two parking spaces)
    - c. Bang Bang, 576 Main Street, Mordialloc (use of three parking spaces)
    - d. Mordialloc Cellar Door (collaboration of businesses), 624 and 626 Main Street, Mordialloc (use of four parking spaces)
    - e. Siesta Café, 600 Main Street, Mordialloc (use of up to three parking spaces)
    - f. Farro Nourishing Eatery (collaboration of businesses), 2-6 Station Street, Moorabbin (use of up to 10 parking spaces)
    - g. Hawker Bar (collaboration of businesses), 292 Highett Road and 6 Railway Parade, Highett (use of three parking spaces)
    - h. Lorenzo's Café and Pizzeria, 138 Station Street, Aspendale (use of three parking spaces)
    - i. Parker's Pavilion, 196-198 Como Parade, Parkdale (use of three parking spaces)
    - j. Parker's Café, 79 Parkers Road, Parkdale (use of two parking spaces)
  6. Future parklet applications are to be considered by Officers in accordance with the Parklet Guidelines as well as any required approvals from Department of Transport.
  7. Provide a 25% reduction in annual renewal fees for Health and Food registrations which will be issued to businesses in early December for the 2021 calendar year.



## 1. Executive Summary

On 6 September 2020, the Victorian Government announced Victoria's roadmap for reopening which outline gradual steps to ensure that businesses can open safely and effectively. Hospitality reopened at midnight on 28 October for predominantly outdoor seated service.

The reopening of hospitality businesses in line with the government's focus on primarily outdoor dining has resulted in several applications being presented to Council within the following streams:

- **Footpath Activities** – Businesses with a Footpath Activities Permit are able to apply to expand their outdoor area on the footpath in front of adjoining businesses. Any business wishing to use the footpath without a Footpath Activities Permit are required to obtain this permit first.
- **Adjacent Kerbside Parking (Parklets)** – Businesses have submitted EOs to expand their footpath area into the adjacent kerbside parking.

**Outdoor Dining Pop-ups** – Businesses can apply to establish a temporary outdoor dining pop-up in an area of Council-owned or managed land. Outdoor dining pop-ups have to this time been generally limited to certain days and times of the week, such as weekends or evenings.

- **Extended Outdoor Dining / Entertainment** – Businesses can apply to establish an outdoor dining area on Council owned or managed land that is for more than two days per week duration. This report outlines those proposals which are seeking extended occupations.

To enable licences and permits to be quickly issued for Outdoor Dining Pop-ups, Extended Outdoor Dining and Parklets changes will be required to the way the Commercial Use of Council Land Policy is applied. It is recommended that Council support the amendment of the Commercial Use of Council Land policy to give the CEO or nominated delegate the ability to prepare licences or permits under the Local Government Act 2020 (Vic) and Crown Land (Reserves) Act 1978 (Vic) to support the Victorian Government's Hospitality Roadmap to Reopening where the intent is to provide businesses with the opportunity for temporary outdoor dining until 30 June 2021. On the basis proposals are put forward, this delegation to consider applications would occur once an opportunity had been provided to advise Councillors of the applications and promptly seek any feedback.

Council resolved at its Ordinary Council Meeting on 30 March 2020 to remove the fee for Health and Food Premises for the 2020 calendar year, as a consequence of businesses being unable to trade through the COVID-19 lockdown period. Annual renewals for Health and Food Premises are due 31 December 2020 for the 2021 year. The likely revenue for the registrations that are due on 31 December 2020 is in the order of \$800,000 and these fees are used to assist in cost recovery of predominantly Council's Environmental Health Services. Recognising that businesses are likely to continue under restricted operating conditions for part of 2021, it is recommended that the annual fees are reduced by 25%. The costs of the fee for a business depends on the complexity of the registration process and generally falls within a range of \$136 to \$539 for a standard business, and up to \$2,239 for larger businesses such as food manufacturers and some supermarkets.

## 2. Background

The State Government made several announcements at the end of the previous Council term regarding opportunities to support the re-establishment of hospitality businesses and identified a key role for Local Government to play in facilitating re-openings at the end of the Stage 4 COVID-19 restrictions.

### Council resolution 12 October 2020

In response to Victoria's Hospitality Roadmap to Reopening, at a Council Meeting on 12 October, Council resolved to:

1. *Delegate the General Manager Planning and Development and Manager City Economy and Innovation the function of considering applications for licences for outdoor dining pop-ups as described in Section 3.3 of this report that would otherwise be determined by Council under Clause 6.6 of the Commercial Use of Council Land Policy until 30 June 2021.*
2. *Consider a report at its November Ordinary Council Meeting for any significant proposals by businesses for the Commercial Use of Council Land (that fall outside those described in Section 3.3 of this report) including where Council is the Committee of Management.*
3. *Waive licence fees for outdoor dining pop-ups issued under the Commercial Use of Council Land Policy until 30 June, 2021 and recover these costs as appropriate through the State Government's 'Local Council Outdoor Eating and Entertainment Package' funding.*
4. *Waive bonds for outdoor dining pop-up licences under the Commercial Use of Council Land Policy until 30 June 2021 at the discretion of the Manager City Economy and Innovation following advice from relevant Council Departments and recover these costs as appropriate through the State Government's 'Local Council Outdoor Eating and Entertainment Package' funding.*
5. *Note that mobile food businesses (i.e food trucks) are not eligible to apply for Outdoor Dining Pop-ups and that through the initial establishment of Council's support program it continues to encourage the activation of such businesses as described in Section 3.3.6 of this report.*
6. *Monitor its initial approach to supporting 'Victoria's Hospitality Roadmap to Reopening' following the first phase of business support identified in this report, and that Councillors are briefed on the 'take up' of the initiatives in December 2020.*

### Latest COVID-19 restrictions on Hospitality Businesses

Over recent weeks the Victorian Government has progressively reviewed restrictions in a range of areas associated with the COVID-19 pandemic.

At the time of preparing this report the following outlines the current limitations on hospitality businesses associated with trading:

- Tables must be cleaned after every customer.
- Cleaning, signage and record keeping requirements apply.
- Businesses must keep a record of customer details, including the date and time the person attended these facilities. These records should be kept for 28 days.
- Total venue capacity (indoor and outdoor combined) cannot exceed 300 patrons.

- For indoor space: Businesses can serve customers indoors with no group limit. Small venues (200 square metres or less) – density quotient (one patron per two square metres), cap at 50 patrons. Large venues (more than 200 square metres) – density quotient (one patron per four square metres), cap at 100 patrons. Infants under 12 months of age are not included in the limit.
- For outdoor space: Density quotient (one patron per two square metres), cap at 300 patrons. Infants under 12 months of age are not included in the limit.
- Pop-up venues are to operate at the same venue caps as permanent providers.

Although restrictions are likely to continue to be progressively lifted (on the basis of COVID-19 infection remaining at manageable levels), hospitality businesses and the people employed through these businesses have been significantly impacted throughout much of this calendar year. The support package for businesses (fee relief) has therefore been linked to the end of the current financial year.

#### Expanded Footpath Trading

The primary approach to maximising outdoor dining for businesses is to allow existing footpath activity permit holders to expand their operations into the adjacent footpath activity area. Where businesses do not have a valid Footpath Activities Permit, they will be required to obtain one before they commence occupying any part of the footpath. At the time of preparing this report, 33 expanded footpath activities permits have been issued. Permits are valid to 30 April 2021 with the option to extend for a further two months to 30 June 2021.

#### Planning Applications – Activation of Private Land

Since the Stage 4 restrictions have been lifted Council has received and processed 13 applications to allow hospitality businesses to accommodate opportunities for larger dining areas than what had been previously permitted by using outdoor space. This has been critical for some businesses given the limitations placed on the maximum number of patrons in a room given the on-site configuration of the buildings they operate out of. It is necessary for businesses to create sufficient 'scale' to be able to reopen and achieve a sufficient return.

#### Outdoor Dining Pop-Ups

Businesses can also apply to establish a temporary outdoor dining pop-up in an area of Council-owned or managed land that is disconnected from their business premises. Outdoor dining pop-ups will be activated generally on a maximum of three days per week. At the time of preparing this report, six outdoor dining pop-ups have been approved. Some of these approvals are time limited to 16 December 2020 to provide for consideration by the incoming Council as the businesses wish to increase the frequency or leave furniture and equipment in situ for an extended period. Some challenges are presented with Pop-Ups where the areas are used during other periods for carparking making the transition issues difficult to manage.

#### Parklets

Expressions of interest have been received from 10 businesses in Mordialloc, Parkdale, Moorabbin, Highett and Aspendale to utilise adjacent kerbside parking (parklets). Since the Special Council Meeting on 12 October officers have undertaken a detailed review of how to manage these activations and further detail is provided in Section 3.3.2 of this report.

Planning Scheme Amendment VC193

In October, the Minister for Planning introduced through Planning Scheme Amendment VC193 new planning exemptions (in clause 52.18) that enable existing pubs, restaurants, cafes, wineries enable existing pubs, restaurants, cafes, wineries and other food drink venues to:

- use existing outdoor spaces, as well nearby use existing outdoor spaces, as well nearby parks and public land, to accommodate and serve patrons without the need for a planning permit.
- better plan and use their own land to accommodate patrons while still adhering to distancing guidelines by overriding some conditions of existing planning permits.

The exemptions also cover the construction of temporary buildings, the provision of car parking, and the sale consumption of liquor subject to meeting some conditions that address potential off-site amenity impacts and other safety matters. The exemptions will apply while Victoria remains under a State of Emergency, and for 12 months after the State of Emergency has been lifted.

Crown Land (Reserves) (Outdoor Dining) Regulations 2020 (Vic)

Council received notification of approval of the Crown Land (Reserves) (Outdoor Dining) Regulations 2020 (Vic) on 15 October 2020 from the Department of Environment Land Water and Planning. The consequence of this regulation is to provide Council with the ability to promptly consider applications and issue a permission should it choose to allow for the activation through outdoor dining on Crown Land where it is the Committee of Management. The regulations are due to expire on 30 June 2021.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 4 - Our free-moving safe, prosperous and dynamic city

Direction 4.2 - Understand and support our thriving, profitable local economy

Local government has a critical role to play in enabling businesses to expand their outdoor dining areas. Through waiving of fees and simplifying approval processes, Council can support businesses to re-open and operate in a safe manner that is in accordance with Victorian Government requirements.

The successful reopening of hospitality businesses is important in providing confidence for others who may be looking to invest in our Activity Centres and open other businesses that rely on the 'foot traffic' generated through hospitality activities. The successful reopening of our hospitality businesses also assists community health and wellbeing by providing additional opportunities for social connection something which is critical as part of the recovery from the pandemic.

#### **3.2 Consultation/Internal Review**

An internal working group has been established to oversee the implementation of outdoor dining. Under the guidance of the Manager City Economy and Innovation, the core working group comprises representatives from Festivals and Events, Business Directions, City Transformation, Environmental Health and Traffic and Transport.

For adjacent kerbside parking (parklets), a sub-working group has been established to develop guidelines and to consider proposals to occupy car parking spaces for outdoor dining. Representatives from Department of Transport have also contributed to the development of the parklet guidelines following recent guidance material being made available.

### 3.3 Operation and Strategic Issues

#### 3.3.1 Proposals for Extended Use of Council Land

As part of lifting the COVID-19 restrictions and the Victorian Government's initiatives to support hospitality businesses, a number of businesses have approached Council with proposals to occupy Council or Crown land throughout the Summer and in some instances the Autumn period beyond the immediate trade from the adjacent footpath area. All proposals involve expanding a redline plan to allow the sale and consumption of alcohol.

Some of these businesses are currently operating through permissions that are time limited to 16 December 2020 to provide for consideration by the incoming Council. The basis for seeking further direction from Council is that under the Commercial Use of Council Land Policy, Clause 6.6 requires that:

*"An activity that is to operate for a period of two days or more (excluding bump in and bump out time) requires a resolution of Council."*

To enable quick turnaround of applications for extended use of Council land, Council support is requested to temporarily amend the Commercial Use of Council Land Policy to give the CEO or nominated delegate the ability to prepare licences or permits under the Local Government Act 2020 (Vic) and Crown Land (Reserves) Act 1978 (Vic) to support the Victorian Government's Hospitality Roadmap to Reopening where the intent is to provide businesses with the opportunity for temporary outdoor dining to 30 June 2021. On the basis proposals are put forward, this delegation to consider applications would occur once an opportunity had been provided to advise Councillors of the applications and promptly seek any feedback.

The following businesses who are seeking an extended use of Council land include the following:

Business	Proposal
Just Italy 48 Como Parade West, Mentone  <b>Requested Area:</b> Mentone Piazza grassed area  (see Appendix 1 - map 1)	<b>Days and times:</b> <ul style="list-style-type: none"> <li>• Mon - Thur: 3pm - 9pm</li> <li>• Friday &amp; Sat: 11:00am - 10pm</li> <li>• Sunday: 11am - 9pm</li> </ul> <b>Length of Occupation:</b>  To 30 June 2021  <b>Details:</b> <ul style="list-style-type: none"> <li>• 12 tables and 24 chairs</li> <li>• 4 x 3m x 3m Umbrellas secured with sand bags</li> <li>• Infrastructure to be removed outside of operating hours</li> </ul>

Business	Proposal
<p>The Crowded Hour 264 Nepean Highway, Edithvale</p> <p><b>Requested Area:</b> Beeson Reserve  (see Appendix 1 - map 2)</p>	<ul style="list-style-type: none"> <li>• Expanded temporary liquor licence</li> </ul> <p><b>Days and times:</b></p> <ul style="list-style-type: none"> <li>• 7 days 12pm – 9pm (pack-up to be completed by 10pm)</li> </ul> <p><i>Applicant initially expressed interest in operating Thursday &amp; Friday, 4pm – 10pm and Saturday &amp; Sunday 2pm – 10pm November and increasing to 7 days in the Christmas - Australia Day peak period. This remains their intention, but they have applied for the maximum duration to increase flexibility and ensure the resulting liquor license is appropriate.</i></p> <p><b>Length of Occupation:</b></p> <p>To 30 June 2021</p> <p><b>Details:</b></p> <ul style="list-style-type: none"> <li>• 16 tables and 50 chairs</li> <li>• Plastic picket fencing panels 1m x 3m, secured with weight blocks</li> <li>• 8 x 3m x 3m cantilever umbrellas secured with concrete stands and sand bag weights</li> <li>• 4 x gas patio heaters</li> <li>• Shipping container = 6096mm x 2438mm x 2896mm for use as bar (will be used to store furniture outside of operating hours)</li> <li>• Shipping container and fencing to remain in place outside of operating hours, other equipment removed.</li> <li>• Access to onsite power supply is being negotiated.</li> <li>• Temporary liquor license.</li> </ul>
<p>Sunny Boy Beach Club 212 Bay Trail, Mordialloc</p> <p><b>Proposed Area:</b> Mordialloc foreshore adjacent to their premises  (see Appendix 1 - map 3)</p>	<p><b>Days and times:</b></p> <ul style="list-style-type: none"> <li>• 7 days</li> <li>• 12pm-9pm</li> </ul> <p><b>Length of Occupation:</b></p> <p>To 30 June 2021</p> <p><b>Details:</b></p> <ul style="list-style-type: none"> <li>• 6 - 8 picnic tables</li> <li>• Limited food menu including fish and chips, burgers, chips, wings etc.</li> </ul>

Business	Proposal
	<ul style="list-style-type: none"> <li>• Normal drinks list including beer, wine, cocktails, soft drinks, milkshakes etc.</li> <li>• Fenced beer garden, lighting with liquor license</li> <li>• Expanded temporary liquor licence</li> </ul>
<p>Mamma Francas Pizza Hall 9 Centreway, Mordialloc</p> <p><b>Proposed Area:</b> Part car park at 11 Centreway (5 car parking spaces)</p> <p>(see Appendix 1 - map 4)</p>	<p><b>Days and times:</b></p> <ul style="list-style-type: none"> <li>• December 2020 - February 2021 (review end of February)</li> <li>• Wednesday – Sunday</li> <li>• 12pm - 11pm</li> </ul> <p><b>Length of Occupation:</b></p> <p>Up to 30 June 2021</p> <p><b>Details:</b></p> <ul style="list-style-type: none"> <li>• Temporary infrastructure remaining in place outside the operating hours.</li> <li>• Expanded temporary liquor licence</li> </ul>
<p>Clayton Bowls Club 37A Springs Road, Clayton South</p> <p><b>Proposed Area:</b> Part car park (three car parking spaces)</p> <p>(see Appendix 1 - map 5)</p>	<p><b>Days and times:</b></p> <ul style="list-style-type: none"> <li>• Wed: 4pm - 8pm</li> <li>• Thurs &amp; Fri: 4pm - 9pm</li> <li>• Sat: 12pm - 8pm</li> <li>• Sun: 8.30am - 6pm</li> <li>• Barriers to remain in place outside of operating hours</li> </ul> <p><b>Length of Occupation:</b></p> <p>To 30 June 2021</p> <p><b>Details:</b></p> <ul style="list-style-type: none"> <li>• Portion of the car park directly in front of the club</li> <li>• 3 car parks</li> <li>• Accessible parking bay to be temporarily relocated</li> <li>• Fencing: 20 lineal metres of portable picket fencing will line the perimeter of 2.5 sides of the area - the building will line one other side and the entrance will be open.</li> <li>• Umbrellas: 5 x 3m x 3m market umbrellas secured with concrete stands and sand bag weights</li> <li>• Heater: 2 x gas patio heaters</li> <li>• 2 x Bar tables</li> <li>• 20 x stools</li> </ul>

Business	Proposal
	<ul style="list-style-type: none"> <li>• 4 x tables</li> <li>• 16 x chairs</li> <li>• Expanded temporary liquor licence</li> </ul>
<p>Main Street Café 503-505 Main Street, Mordialloc</p> <p><b>Proposed area:</b> Mordialloc Train Station Forecourt</p> <p><i>(Note: VicTrack permission required and not yet obtained)</i></p> <p>(see Appendix 1 - map 6)</p>	<p><b>Days and times:</b></p> <ul style="list-style-type: none"> <li>• 7 days, 6.30am – 11pm</li> </ul> <p><b>Length of Occupation:</b></p> <p>To 30 June 2021</p> <p><b>Details:</b></p> <ul style="list-style-type: none"> <li>• Cafe Barriers 8 x 1m x 2m panels</li> <li>• Umbrellas: 4 x 3m x 3m</li> <li>• Heaters: 3 x gas patio heaters</li> <li>• 20 x tables</li> <li>• 50 x chairs</li> <li>• Infrastructure to remain in place outside of operating hours</li> <li>• Request to use areas either side of the Forecourt between the buildings and bollards</li> <li>• Shared zone to remain open to approved vehicles.</li> <li>• Expanded temporary liquor licence</li> </ul>
<p>Public Grind Café 316 Highett Road, Highett</p> <p><b>Proposed area:</b> Part car park at 312 Highett Road, Highett (2 car parking spaces)</p> <p>(see Appendix 1 - map 7)</p>	<p><b>Days and times:</b></p> <ul style="list-style-type: none"> <li>• 7 days</li> <li>• 8am – 3pm</li> </ul> <p><b>Length of Occupation:</b></p> <p>To 30 June 2021</p> <p><b>Details:</b></p> <ul style="list-style-type: none"> <li>• Small dining area for café customers occupying two parking spaces</li> <li>• 3 tables and 6 chairs</li> <li>• No alcohol service</li> </ul>

Owing to the adjoining residential properties to Beeson Reserve, Edithvale it is recommended that additional engagement with local residents be undertaken prior to any in-principle support or approval being granted for the proposal by The Crowded Hour.

It is proposed that all fees relating to the commercial use of Council land are to be waived which is consistent with the resolution of the Council on 12 October 2020 and cost recovery for the use of Council land is achieved through the State Government Grant discussed in the resource section of this report.



### 3.3.2 Adjacent Kerbside Parking (Parklets)

Since the Special Council Meeting on 12 October 2020, officers have undertaken detailed research into the approach for expanding footpath activities to the adjacent kerbside parking (parklets). The focus has been on seeking to establish robust guidelines which are sufficiently focussed on managing risk given the relationship between the road and operators patrons who would be utilising the parklets.

During the recent round of Expression of Interest, a total of 10 businesses have expressed an interest with five located in Mordialloc. Following the EOI businesses continue to discuss parklet proposals and at the time of preparing this report some businesses were considering expanding parklet proposals or also working with neighbouring businesses.

It is possible that additional requests will be made for parklet installations beyond the first round of applications that have been made.

The recommended approach is to enable businesses to establish parklets is as follows.

Council will:

- Support the applicant through the application process that is designed to carefully manage the trading needs of the business, risk, relevant statutory approvals and the views of others regarding the use of carparking.
- Cover costs associated with an independent safety assessment and development of a traffic management plan for the application (in the order of \$3,500 per parklet application)
- Assess completed applications in a reasonable timeframe.
- Waive usual fees for the commercial use of Council land and seek cost recovery through the State Government Grant.

The applicant will:

- Cover costs associated with design and documentation, construction and public liability insurance of the parklet. Some businesses are working together to engage external providers to assist with design and construction to provide for a consistent approach.
- Conduct maintenance and cleaning of the parklet as per guidelines

Eligible businesses can apply for a grant of \$5,000 under the State Government's Outdoor Eating and Entertainment Grant to set up the parklet.

Funds can be used to pay for practical things like decking, barriers, umbrellas, outdoor furniture and other equipment that are needed for the space.

Guidelines have been prepared to help businesses understand the installation requirements should they wish to pursue a parklet and they are presented to Council for endorsement (refer Appendix 2). Preferred characteristics for parklets include:

- The occupied space is protected behind a curb outstand on the approach.
- Use of 90 degree or angled parking.

- Low speed through-traffic volume
- In an area with limited existing public amenity or outdoor dining area eg. Limited public seats, narrow footpaths, minimal vegetation.
- On streets with high pedestrian activity.
- Where multiple businesses benefit from the parklet, and where businesses cooperate to apply for a larger parklet.
- Where significant community support can be demonstrated.

It will not always be the case that all the characteristics can be met.

Design objectives include:

- Must be for the purpose of accommodating patrons of a business in a COVID-safe manner.
- Must be accessible to all members of the community in accordance with the Disability Discrimination Act 1992.
- Must be secure and safe.
- Must be clearly visible to vehicles in all light conditions.
- Must be designed to prevent accidental pedestrian entrance to the roadway (eg. Person falling onto the barrier and into the roadway).
- Should not damage any public infrastructure.
- Must be able to be removed within 24 hours.

#### *Parklet Expressions of Interest (EOI)*

The following EOIs have been received and are presently the subject of discussion with applicants based on the proposed guidelines and their obligations for installing the parklets:

- The Sporting Globe, Mordialloc – use of three parking spaces noting one of the spaces is a disabled marked and designed space and is under review by Officers.
- Supper Club, Mordialloc – use of two parking spaces
- The Cellar Door group, Mordialloc (collaboration of businesses) – use of four parking spaces
- Siesta Café, Mordialloc – use of one parking space
- Bang Bang, Mordialloc – use of three parking spaces
- Hawker Bar group, Highett (collaboration of businesses) – use of three parking spaces
- Farro group, Moorabbin (collaboration of businesses) – up to 10 parking spaces
- Lorenzo's Pizzeria, Aspendale – use of three parking spaces
- Parker's Café, Parkdale – use of two car parking spaces
- Parker's Pavilion, Parkdale – use of three car parking spaces

As identified earlier some of the above proposals may further evolve following discussions occurring between businesses and these issues are being worked through with Officers.

The location of parklet proposals are mapped and included as Appendix 3.

In considering parklet applications the following matters will be considered:

- Compliance with guidelines that have been developed that outline how Parklets are to be safely established.
- The views expressed by the two adjacent businesses on either side and any view provided from an incorporated Chamber of Commerce or Trader Group (eg. Mordialloc Traders Association).
- Whether the business has applied for expanded footpath trading and or outdoor dining pop-up opportunities.
- Preference will be given to businesses that have collaborated with other businesses.
- Envisaged changes to COVID-19 restrictions on hospitality businesses and the potential for increased patronage within the tenancy.

In asking Council to consider the parklets it will need to carefully balance the cumulative impact of reducing parking in centres particularly Mordialloc given the number of requests and high levels of visitation during summer. This balance needs to carefully consider the needs of non-hospitality businesses that also rely on accessible parking and as such some limitations may be required on any future proposals.

### 3.3.3 Outdoor Dining Pop-Up

For Council's awareness, a new application for an outdoor dining pop-up has been received from Braeside Brewing in collaboration with other businesses for George Woods Reserve, Mordialloc. The collaboration involves food supplied by four businesses on a rotating basis: Oscar's Hangout; Hansa's Chopping; Burger Lab; and Big Pig Little Pig.

The area within the reserve will be occupied three times per week (Friday, Saturday and Sunday) between the hours of 12pm to 10pm. A fenced beer garden will be set up for the service of alcohol through an expanded temporary liquor licence. No tables and chairs are proposed with customers encouraged to bring rugs for a picnic style set up.

Officers are able to consider and determine this outdoor dining pop-up application in accordance with the following resolution from the Council Meeting on 12 October:

- 1 *Delegate the General Manager Planning and Development and Manager City Economy and Innovation the function of considering applications for licences for outdoor dining pop-ups as described in Section 3.3 of this report that would otherwise be determined by Council under Clause 6.6 of the Commercial Use of Council Land Policy until 30 June 2021.*

### 3.3.4 Health and Food Registrations 2021

Annual renewals for Health and Food Premises are due 31 December 2020. At the Ordinary Council Meeting on 30 March 2020 Council refunded all registration fees for the 2019 year which resulted in an impact on envisaged revenue to partial cover the costs of our Environment Health Services of \$730,000. Council also refunded all footpath activities permits for 1 August 2019 to 31 July 2020 at a cost of approximately \$116,000. Council then extended footpath activities permits at no cost to businesses until 30 July 2021 at its Ordinary Council Meeting on 24 August 2020 at a further loss of revenue of approximately \$116,000.

The likely revenue for the registrations that are due on 31 December 2020 is in the order of \$800,000. Recognising that businesses are likely to continue under restricted operating conditions for part of 2021, it is recommended that the annual fees are reduced by 25%. The costs of the fee for a business depends on the complexity of the registration process and generally falls within a range of \$136 to \$539 for a standard business, and up to \$2,239 for larger businesses such as food manufacturers and some supermarkets. The revenue generated provides an important role in supporting the operations of Council's Environmental Health Services which directly support the business community.

Recognising that businesses may continue under restricted operating conditions for potentially part of 2021, it is recommended that the annual review fees are reduced by 25% noting Council is further assisting many businesses by removing outdoor activities fees.

#### **4. Conclusion**

##### **4.1 Environmental Implications**

The pandemic has seen an increase in cycling and walking within neighbourhoods and it is expected that the reactivation of businesses will see residents continuing to walk or cycle to their local centres. The implementation of outdoor dining initiatives may have some minimal impact on the use of public or private land that would have otherwise been left unobstructed.

Careful consideration will be given to the establishment of parklets where they establish to ensure they do not substantially obstruct overland flow of storm water.

Businesses seeking to establish on Council land will be responsible for their own waste management.

##### **4.2 Social Implications**

Outdoor dining provides opportunities for the community to reconnect with friends and family in a local setting. The economic benefits for businesses are significant due to the restricted ability to accommodate dine-in customers. Businesses have been very keen to quickly re-establish a loyal customer base and Council has sought to wherever possible assist businesses in proactively recommencing trading.

Different segments of the community will have different responses to the loss of carparking as a consequence of activations. It is unlikely that in all instances all segments of the community will support approved activations.

##### **4.3 Resource Implications**

The parklet program has will continue to require significant officer time to coordinate and monitor the use of the approved spaces. Businesses will need to ensure that appropriate safety measures are implemented that accord with Council and where relevant Department of Transport Guidelines. Council has committed to cover costs associated with an independent safety assessment and development of a traffic management plan for each parklet application. The cost for these activities is around \$3,500 per parklet application. Implementation of any traffic management plan requirements is additional and likely to be around \$2,000.

On 14 September 2020, the Victorian Government announced the \$87.5 million Outdoor Eating and Entertainment Package whereby metro councils will receive up to \$500,000 to assist with implementation costs for outdoor dining. Expenditure on initiatives including food trucks is specifically excluded. Council has now entered the

funding agreement and \$500,000 will shortly be received. Based on the funding guidelines and our approach to outdoor dining, the following elements will be claimed through the grant:

- Administering permit regulation and approvals processes.
- Waiving applicable fees and charges associated with permit applications. There is nothing in the Funding Agreement that precludes Council's ability to reclaim charges that would have otherwise been paid for use of Council land noting reclaiming this revenue through the fund will support other Council initiatives.
- Traffic management.
- Implementation of the parklet program – preparing guidelines and promotion.
- Additional waste and cleaning of public areas.
- Additional enforcement and monitoring activities.
- Local marketing and promotional activities.



When considering the extent of waiving of fees (particularly to occupy Council land), processing of applications, additional waste activities, marketing and enforcement work Councils costs are likely to exceed the amount provided in the grant. Council will track the costs associated with supporting local businesses. As identified earlier in the report grants are also available from the Victorian Government to directly support individually businesses with obtaining materials to support outdoor dining activations.

#### 4.4 Legal / Risk Implications



Footpath Activities Permit holders are already required to provide Public Liability Insurance (\$20M) and sign an Indemnity Form. This approach will also be applied to cover the other outdoor dining initiatives and parklets discussed in this report.

To minimise Council's risk with extending the footpath trading to the adjacent kerbside car parking (parklet), the development and adoption of Parklet Guidelines will provide requirements for the safe installation and occupation of parklets.

## Appendices



Appendix 1 - Extended Proposals Area Maps (Ref 20/269932)  

Appendix 2 - Parklet Guidelines - Final (Ref 20/262798)  

Appendix 3 - Attachment Three Part A - Proposed Parklets Municipality Context (Ref 20/259691)  

Appendix 4 - Attachment Three Part B - Proposed Parklets Map 1 (Ref 20/259697)  

Appendix 5 - Attachment Three Part C - Proposed Parklets Map 2 (Ref 20/259703)  

Appendix 6 - Attachment Three Part D - Proposed Parklets in Mordialloc (Ref 20/259707)  

Author/s: Tania Asper, Manager City Economy and Innovation  
Reviewed and Approved By: Jonathan Guttman, General Manager Planning and Development



# 3.1

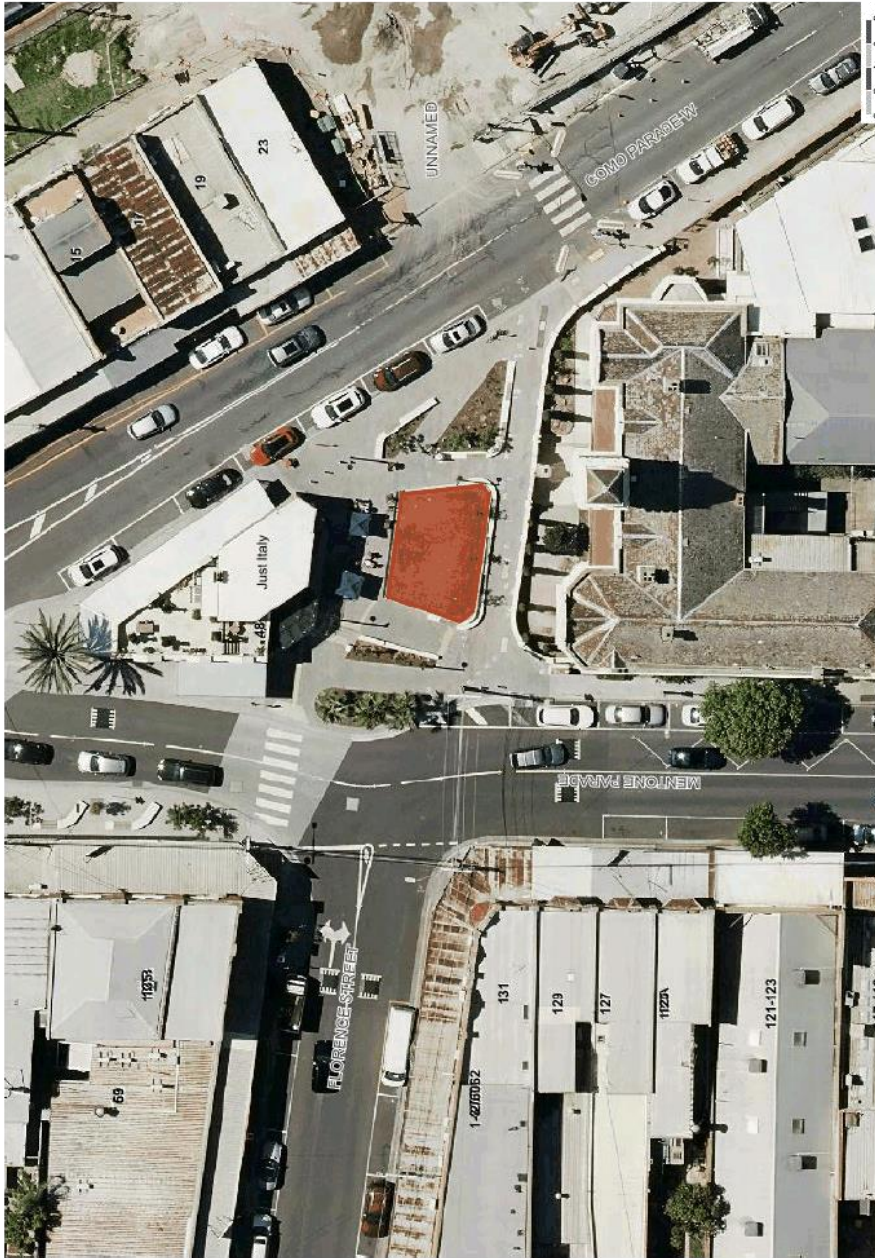
## ECONOMIC RECOVERY: OUTDOOR DINING ACTIVATIONS

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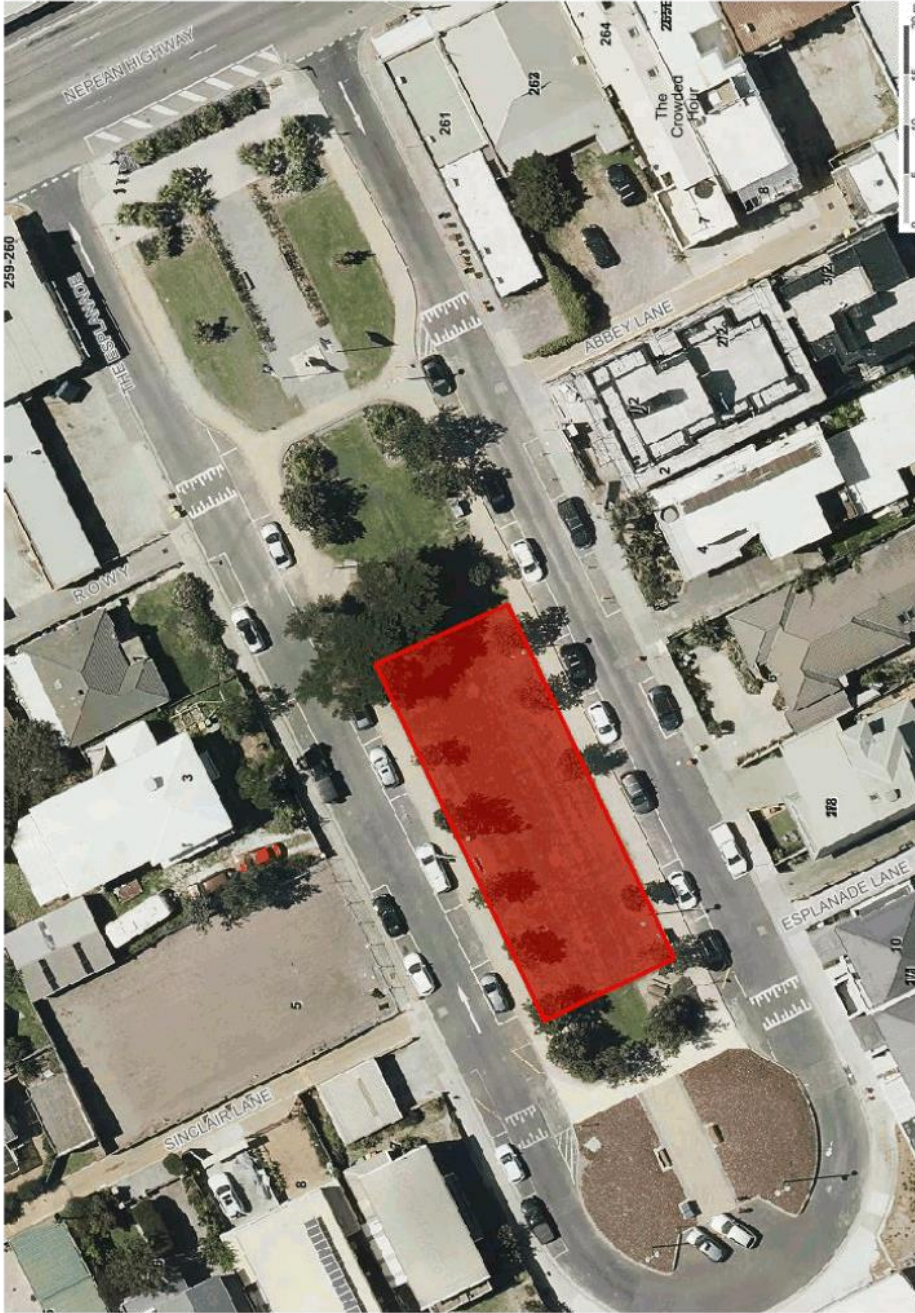
MAP 1  
Just Italy  
Mentone Piazza



TRIM 20/250700

MAP 2

The Crowded Hour  
Beeson Reserve  
Edithvale



TRIM 20/250700

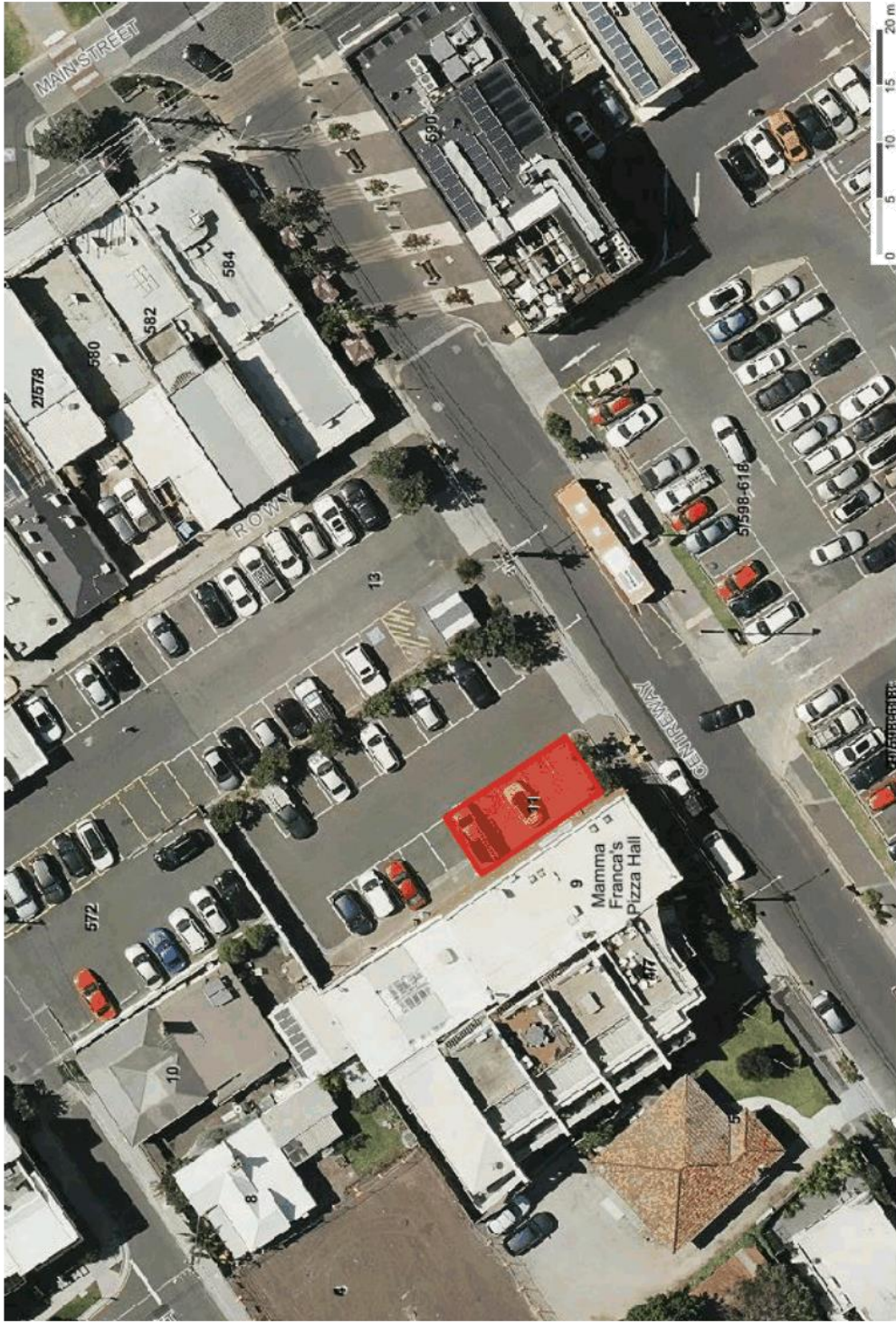
MAP 3  
SunnyBoy Beach Club  
foreshore  
212 Bay Trail,  
Mordialloc



TRIM 20/250700

MAP 4

Mamma Franca's  
Car park  
13 Centreway,  
Mordialloc



TRIM 20/250700

MAP 5  
Clayton Bowls Club  
Car park  
37B Spring Road,  
Clayton South



TRIM 20/250700



**MAP 6**  
Main Street Cafe  
Mordialloc Station  
Forecourt  
70 Albert Street,  
Mordialloc

TRIM 20/250700

MAP 7  
Public Grind Cafe  
Adjacent car park  
Hightett Road,  
Hightett



312

TRIM 20/250700





# Parklet Guidelines

Supporting the Covid-safe re-opening of Kingston businesses

November 2020 – June 2021



City of  
**KINGSTON**

*community inspired leadership*

## Definition

A parklet is the temporary occupation of an area of road for the purpose of increasing usable pedestrian space for public and business-related activities. The implementation of a parklet benefits the community by allowing usage of previously car dominated public space and contributing to public amenity of the street. For the purposes of these guidelines, parklets specifically relate to the occupation of kerbside carparking.

High quality, durable and robust designs are encouraged where a professional designer, architect or registered builder has been engaged to achieve the best outcome for the applicant and community. However, acknowledging the urgency with which businesses need to occupy more outdoor dining space, lighter, quicker, cheaper options that meet the safety requirements will be considered.

Applications for parklets will be considered on a case by case basis given the complexity and varying road conditions around the municipality. To ensure the safety of your patrons, Kingston City Council (KCC) has developed selection criteria, objectives and guidelines to determine the suitability of the site and parklet infrastructure.

Ideal parklet characteristics:

- The occupied space is protected behind a kerb outstand on the approach
- Use of 90 degree or angled parking
- Low through-traffic volume
- In an area with limited existing public amenity or outdoor dining area e.g. Limited public seats, narrow footpaths, minimal vegetation
- On streets with high pedestrian activity
- Where multiple businesses benefit from the parklet, and where businesses cooperate to apply for a larger parklet
- Where significant community support can be demonstrated



Parklets come in many different shapes and sizes. Provided the location criteria and design objectives are met, we will consider any design. Images above show the wide spectrum of potential parklet designs. Images left to right: a more complex parklet in the City of Port Phillip, a simple parklet in the City of Port Phillip, a simple parklet in Hudson Square, USA (credit: Mike Lydon).

## Aims

- Support businesses to Covid-Safe reopening by allowing the outdoor accommodation outdoor dining on public streets
- Foster and support Covid-safe community and neighbourhood interaction
- Re-imagine the potential of the street by unlocking car dominated public space for pedestrian use and activation
- Increase vegetation and greening and improving public amenity of the street

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## Roles

The applicant will:

- Cover costs associated with design and documentation, construction and public liability insurance of the parklet
- Conduct maintenance and cleaning of the parklet as per these Guidelines and the specified maintenance requirements
- Install and remove the parklet

The Council will:

- Support the applicant through the process
- Cover costs associated with the development of traffic management plans and independent road safety audits for each application where required
- Assess the application in a reasonable timeframe
- Waive fees normally charged by KCC

## Selection Criteria

To have your parklet application considered, your proposal must:

- meet the location criteria
- meet the design objectives
- demonstrate support from the neighbouring businesses and community

## Location Criteria and Design Objectives

### Location Criteria

Proposals for parklets must meet the following criteria to be considered for approval. The parklet must:

- Be situated directly adjacent to your business
- Only be on roads where a speed limit of 40km/h or below can be maintained. Council will work with applicants to consider speed reductions to 40km/h where possible.
- Be aligned to a kerb which is straight
- Not be within a loading zone, bus zone, accessible parking, taxi zone or clearway
- Be situated at least 10 metres from an intersection and 20m from a signalised intersection
- Retain access to essential infrastructure. This includes utility access panels, manhole covers, storm water drains, street fire hydrants, hydrant or sprinkler booster points on the outside of buildings facing the street, fire indicator panels, sprinkler control valves etc.

If the parklet is located on an arterial road (e.g. Nepean Highway including service roads) Council will work with applicants to seek approvals from the Department of Transport. The Department of Transport guidelines will apply in these locations and can be found at <https://www.vicroads.vic.gov.au/traffic-and-road-use/events-and-filming-on-our-roads/temporary-on-road-dining-approval>

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## Design Objectives

While the design of parklets may vary to suit the operation of your business, your parklet proposal must:

- Be for the purpose of accommodating patrons of a business in a COVID-safe manner
- Be accessible to all members of the community in accordance with the *Disability Discrimination Act 1992 (Cth)* (DDA)
- Be secure and safe
- Be clearly visible to vehicles in all light conditions
- Be designed to prevent accidental pedestrian entrance to the roadway (eg. Person falling onto the barrier and into the roadway)
- Be designed to safely remain in place, unsupervised in the public domain outside of business hours. Whilst furniture elements such as tables and chairs will be brought in and out, the parklet structure itself will generally remain in place for the life of the permit unless Council or DoT consider otherwise.
- Be designed and constructed to enable its removal within 24 hours, if required by Council or relevant authority.

The installation, operation and removal of the parklet should not result in any damage to public infrastructure. If alterations to the road are required for the installation, operation or removal of your parklet, further permissions may be required under the *Road Management Act 2004 (Vic)*.

## Design Guidelines

### Buffer Zones

Clearances around the parklet are required to maintain safe distances from the road and adjacent car parking spaces. The following buffer zones must be implemented for all parklets (see figure 1):

- A 1m buffer between edge of habitable parklet area (the space people can occupy) and adjacent carparks. Bike parking or planter boxes can occupy this buffer zone however a 30cm clearance from any obstruction to the edge of the neighbouring parking space must be provided. This is to allow for the opening of a car door for angled parking and for manoeuvring space in parallel parking.
- A 30cm buffer zone between the edge of the parklet and the roadway is to be implemented.
- The parklet must be a minimum of 2m from the edge of any driveway and not impede sightlines
- If a parklet is very long, pedestrian access from the road to the footpath may need to be considered.

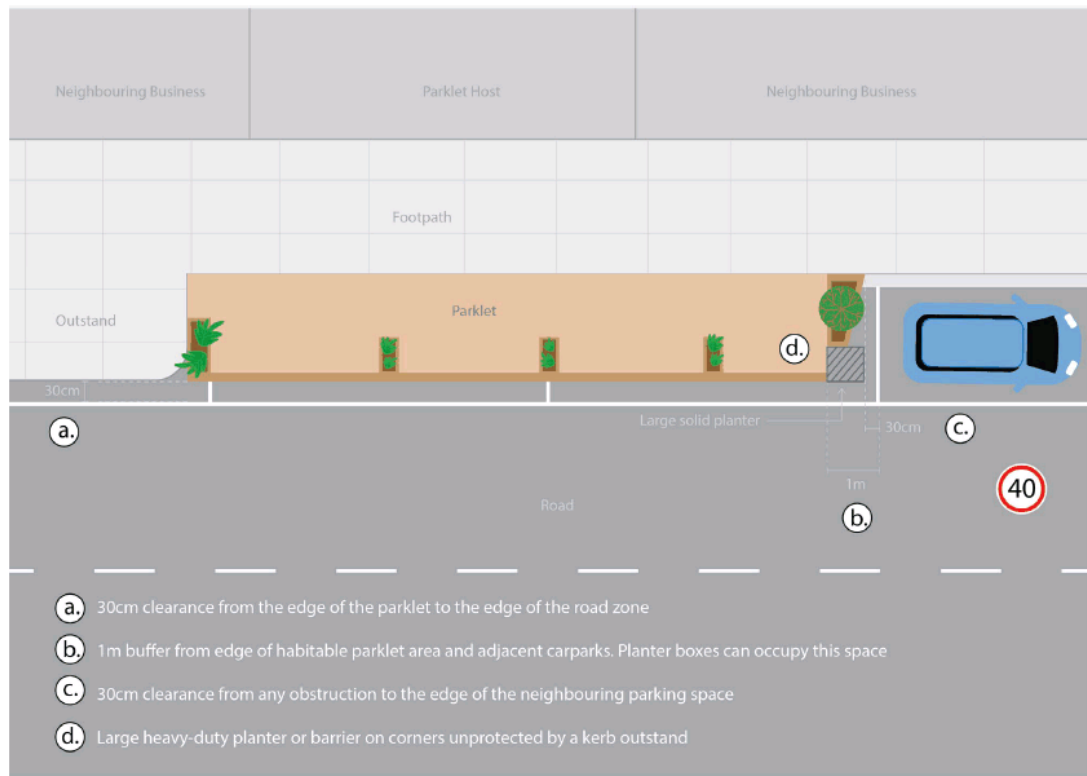


Figure 1: Plan view of a parklet layout showing essential buffer zones and safety elements

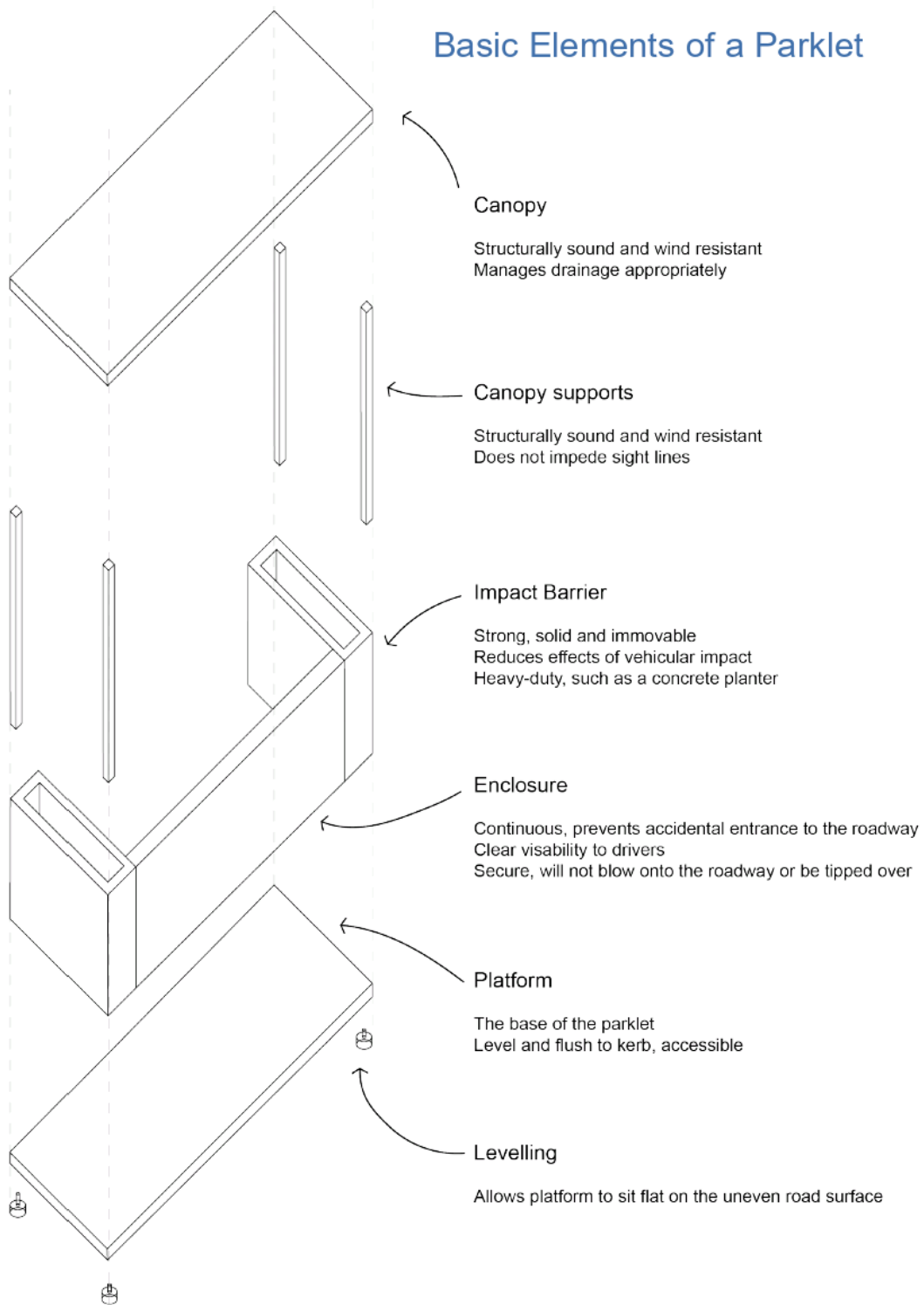


Figure 2: Diagram shows the elements of a robust parklet design. While some elements are essential such as the impact barrier and enclosure, others such as the platform and canopy are preferred but optional

## Platform

While we will consider proposals without it, the platform is the base of your parklet and is highly recommended to provide accessibility for all members of our community as well as acting as a foundation to secure the barrier and amenity elements to, such as planter boxes. The platform should be considered as an extension of the footpath and must achieve the following:

- Be flat and level
- Be flush to the kerb or with a threshold element joining the kerb to the platform providing a level connection
- The surface must be flat, have a non-slip surface treatment and not have tripping hazards
- Stormwater drainage from the street into the gutter adjacent to the parklet must be maintained at all times and gutter flow must not be impeded. Rubbish grates are required to stop litter build-up beneath the parklet. The gap from the kerb to the base of the parklet frame must be 20cm, while retaining accessibility onto the parklet with a threshold cover at footpath level. Please refer to figures 3 and 4 below

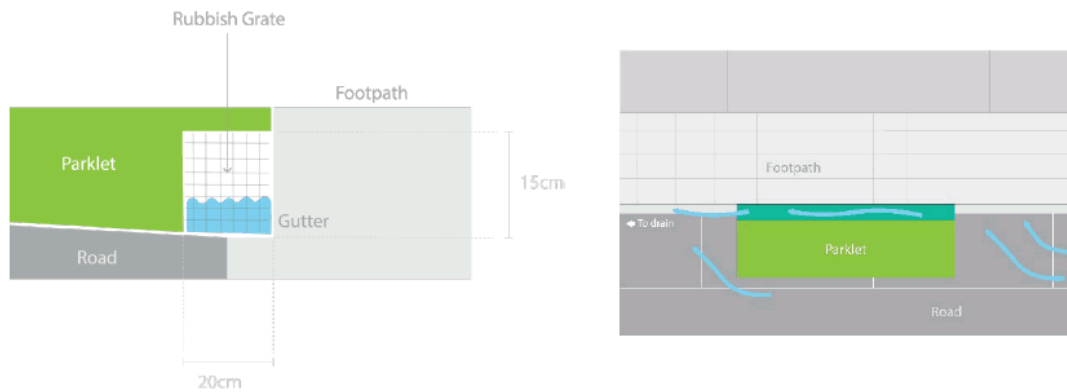


Figure 3. Kerb section showing requirements for stormwater management including a rubbish grate to prevent litter build up below the parklet platform and maintain stormwater flow

Figure 4. Plan view showing stormwater flow around the parklet and at the kerb

If a platform or floor system cannot be provided, or if a step down from the footpath is proposed (e.g. parklets without a continuous platform), a non-slip temporary kerb ramp will be required to ensure the space has safe, dignified and equitable access to best meet the intent of the *Disability Discrimination Act 1992 (Cth)*.

## Barrier, Edges and Enclosure

The parklet must be delineated with a continuous and sturdy physical barrier such as planter boxes, café fencing, or other infrastructure approved by Council. It also must be protected from vehicle impact at the corners. Barriers must be designed to address the following safety risks:

- Vehicle impact, particularly where the parklet has a direct interface with a parking space and on the approach to the parklet
- Accidental pedestrian entrance to roadway from parklet
- Visibility of the parklet to vehicles

To address these risks the following design guidelines apply:

- The parklet must be protected from vehicle impact on the road edge corners by either an existing kerb outstand, or a robust barrier such as a large concrete planter box or heavy-duty barrier placed on the road surface
- The parklet must have continuous edges of at least 90cm high on the edges that face the roadway and adjacent parking spaces (if the end edge of the parklet opens to a significant traffic outstand, a continuous barrier is not required at that edge). The edges must be closed and access must be from the footpath
- Edge barriers must be higher than 90cm but lower than 1m from the road surface. Any barrier extending above 1m must be transparent, or ideally, completely open-air. Structural support members may be above 1m provided they are not causing a sightline issue (See figure 5 below)

The maximum height limit for solid elements is to ensure visibility through and around the parklet for both drivers and pedestrians

- Chevron signage must be provided on the barrier of the approach
- Reflective material must be implemented on each side of the parklet
- Barriers should not contain thin horizontal elements such as metal railings or bars which could be spearing hazards
- Barriers should not contain material such as glass, which could shatter on impact
- Barriers should not be flimsy or able to be moved by pedestrians or blown in the wind

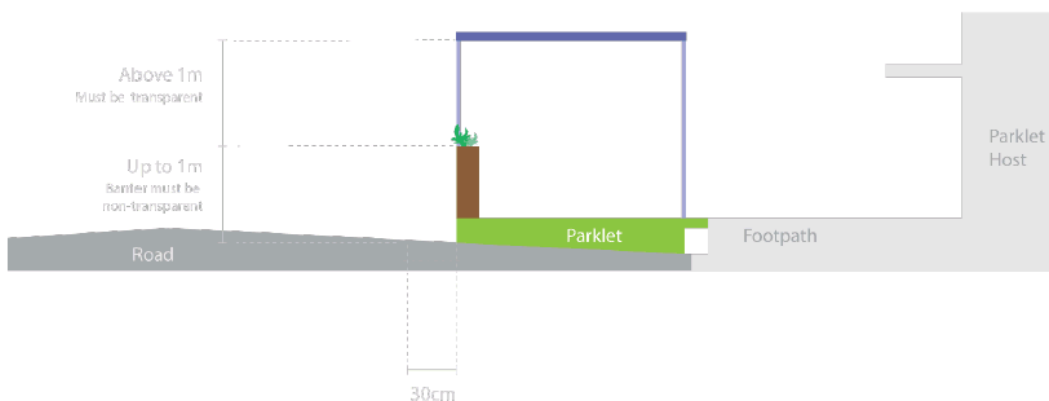


Figure 5. Barriers should be at least 90cm high where they interface with the road and abutting car parking spaces. Any elements above 1m should be transparent and allow for clear visibility.

## Speeds

Speed is a contributing factor to the safety of the parklet and its occupants. Parklets should be implemented where lower speeds can be achieved.

- Parklets can only be implemented on roads where the speed limit is 40km/h or below. If your parklet is proposed to be on a road with a speed limit above 40km/h, you will need to apply for a temporary speed reduction.
- Temporary speed reductions require a Traffic Management Plan. Council will work through this process with you to arrange the Traffic Management Plan where speed reductions are possible.
- Speed reductions cannot be considered on roads where the speed limit is above 60km/h



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## Amenity and Furniture

- The parklet should contribute to the pedestrian amenity of the street. Some good ways of achieving this is incorporating vegetation and planter boxes and using visually pleasing and interesting materials such as timber
- The integration of lighting is encouraged to facilitate usage in the evenings. Electrical cords across the footpath will not be supported so solar powered lighting is preferred.
- Shading which is fixed to your parklet structure is encouraged to manage Melbourne's weather fluctuations. It must be structurally sound, not obstruct sight lines and conform to the State Government's Restart Guidelines (see details under 'Permits and Certificates' below). Your application must include details of how all infrastructure (eg. barriers, umbrellas) will be safely secured to address wind loading, safety of occupiers.

## Sustainability

Materials and products should be durable, include some eco-preferred content, be modular and / or come from a manufacturer with product stewardship programs and ISO 14001 certification. Material considerations include:

- Locally and sustainably sourced materials
- Recycled materials
- Recyclable and/or reusable materials
- Low emission materials
- Durable materials

## Public Space

- As parklets are hosted on public land, they must be accessible to the public. However, during business hours of the host, the parklet can be used exclusively for the purpose of accommodating patrons to that business (and surrounding businesses as agreed)
- The parklet must be made safe and secure outside businesses hours
- All non-fixed furniture is required to be removed from the parklet outside of business hours (eg. tables and chairs)

## Parklet Signs

- All parklet hosts will receive a sign which must be secured to the parklet informing the public of the instillation

## Permits and Certificates

A Traffic Management Plan will be required for all parklet applications; however, Council will be covering the cost and arrangement of this.

If you are applying for a road speed reduction to below 40km/h or if your proposal is situated on an arterial road, a permit from the Department of Transport will be required. Council will also arrange all permits from the Department of Transport as part of the Traffic Management Plan process.

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Depending on the type of parklet proposed you may also require the following:

- Structural certification from a structural engineer. Specifically, a Certificate of Compliance Inspection and Structural Design Certification in accordance with Regulation 126 of the *Building Regulations 2018 (Vic)* from a Registered Structural engineer
- A Temporary Occupancy Permit from Council's City Development Department. This applies to all proposals with a floor area of greater than 100 sq m. Council will assist you through this process

## Removal of Parklets

The applicant will be responsible for the removal of the parklet and the reinstatement of the road to its condition prior to the parklet installation.

The City of Kingston or a service authority may require the temporary removal of the parklet under certain circumstances (eg. public safety or utility emergency). In such an event, the applicant will be responsible for the costs associated with the removal, storage and reinstatement of the parklet.

Parklets must operate safely and maintain the amenity of the local area. Please note that the Kingston City Council can terminate parklet permits and require their permanent removal under the following circumstances:

- If maintenance is not undertaken in accordance with the maintenance checklist
- If the parklet creates an issue of public safety warranting its removal
- If the operation of the parklet is in breach of other legislative requirements (eg. liquor licensing requirements, hours of operation)
- If the parklet raises significant public concern

## Application Checklist

Make sure you have provided the following information to ensure your application can be processed as quickly as possible

<b>Application form (to be completed online)</b>	
<b>Parklet Plans</b>	
1. Aerial photograph (e.g. google maps satellite view) with the carparks that you wish to occupy marked up	
2. Photos of the site and proposed parklet location (include dates photos were taken)	
3. Parklet site plan (figure 6) showing the: <ul style="list-style-type: none"> <li><input type="checkbox"/> host building and adjacent buildings including their entrances and street address</li> <li><input type="checkbox"/> roadway with road name shown</li> <li><input type="checkbox"/> footpath and its width</li> <li><input type="checkbox"/> kerb line and driveway locations</li> <li><input type="checkbox"/> traffic and bike lanes</li> <li><input type="checkbox"/> existing parking spaces including their width and length</li> <li><input type="checkbox"/> parking restriction details</li> <li><input type="checkbox"/> existing street furniture such as bicycle parking, street lights, street signs, fire hydrants, utility access points (pits)</li> <li><input type="checkbox"/> street trees, tree grates and landscaped areas</li> <li><input type="checkbox"/> existing footpath trading area of your business</li> <li><input type="checkbox"/> proposed parklet footprint and the buffer zones including all dimensions</li> <li><input type="checkbox"/> location of barriers around the parklet including their dimensions</li> <li><input type="checkbox"/> any proposed landscaping</li> <li><input type="checkbox"/> safety measures in accordance with the Guidelines</li> <li><input type="checkbox"/> location of DDA compliant access into your parklet</li> <li><input type="checkbox"/> layout and type of furniture you intend to put in the parklet in accordance with your COVID safe plan (eg. tables, chairs, umbrellas)</li> </ul>	
4. An elevation plan (figure 7) showing each side of the parklet including: <ul style="list-style-type: none"> <li><input type="checkbox"/> details of the continuous barriers including their height and length</li> <li><input type="checkbox"/> materials used, labelled on the plan and images if possible</li> <li><input type="checkbox"/> clearances from the stormwater drain and rubbish grates for any platform proposals</li> <li><input type="checkbox"/> details of the treatments at the edges of the buffer zones (eg. soft hit posts, wheel stops, traffic cones)</li> <li><input type="checkbox"/> other vertical elements such as canopy structures, lighting, umbrellas</li> <li><input type="checkbox"/> details of reflective materials on each side</li> <li><input type="checkbox"/> location of signage (safety chevron signage and advertising)</li> </ul>	
5. Detailed drawings <ul style="list-style-type: none"> <li><input type="checkbox"/> Details of how infrastructure (eg. barriers, umbrellas) will be safely secured to address wind loading, safety of occupiers.</li> </ul>	

<input type="checkbox"/> Detailed construction drawings/shop drawings, including site plan, floor plan and elevations (as relevant). <input type="checkbox"/> Certificate of Compliance Inspection and Structural design Certification in accordance with Regulation 126 of the Building Regulations 2018 from a Registered Structural engineer.	
<b>Parklet supporting documentation</b>	
Letters of support from neighbouring occupiers	
Letter of support from property owner	
Any letters of support / Petition of support from the community	
Any copies of material used to inform the community about the application	
<b>Valid Public Liability Certificate for \$20 Million</b>	

### Example Site Plan Drawing

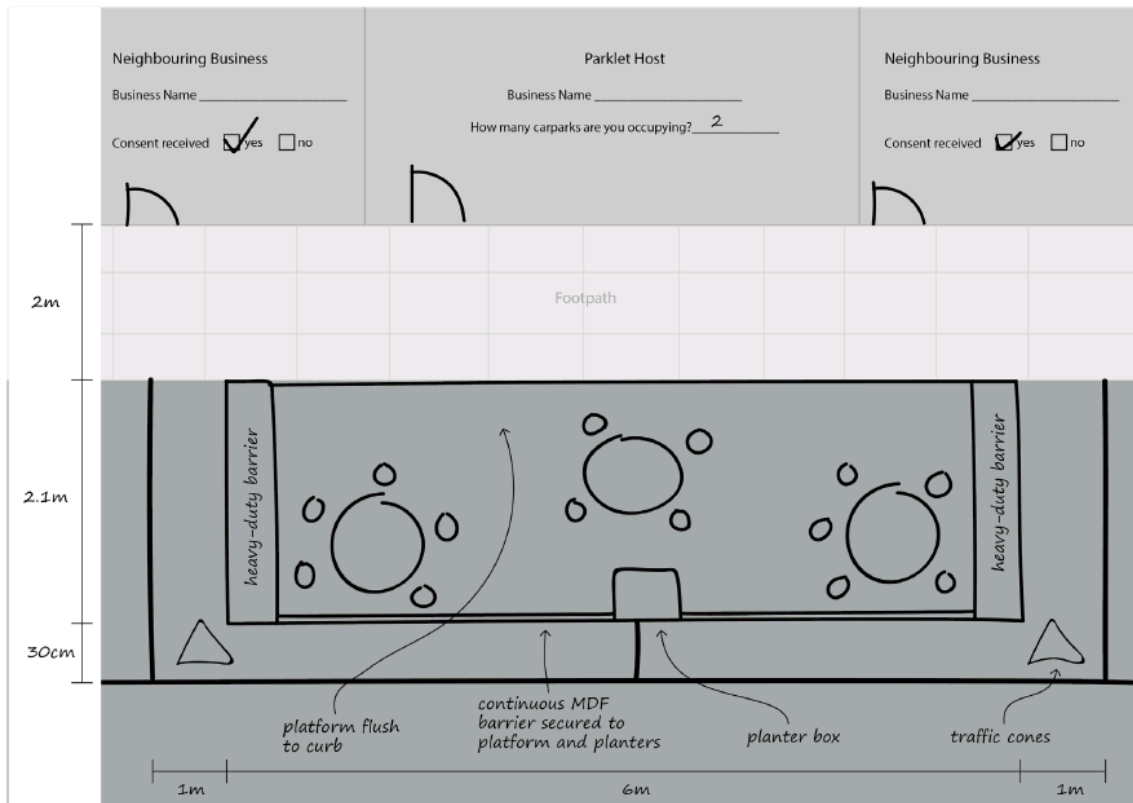


Figure 6. Example site plan drawing – draw a bird’s eye view of your parklet and surrounds. A plan template is provided below to help you communicate your design to us if you are not engaging a professional designer. Don’t forget to include the dimensions.

---

Neighbouring Business	Parklet Host	Neighbouring Business
Business Name _____ Consent received <input type="checkbox"/> yes <input type="checkbox"/> no	Business Name _____ How many carparks are you occupying? _____	Business Name _____ Consent received <input type="checkbox"/> yes <input type="checkbox"/> no
	Footpath	
	Road	

## Example Elevation Drawing

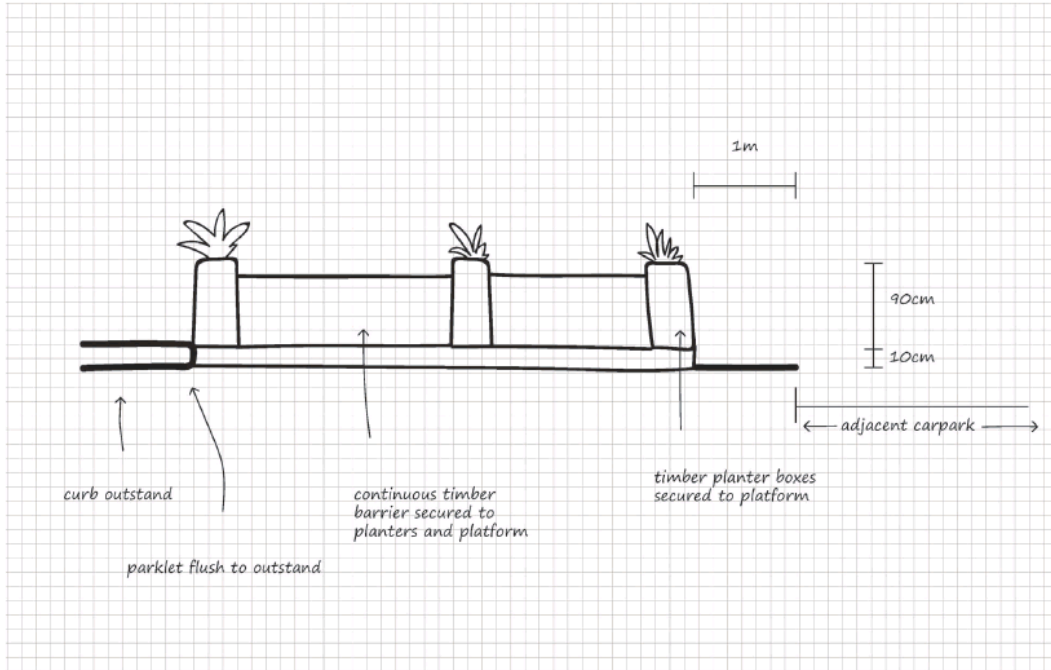
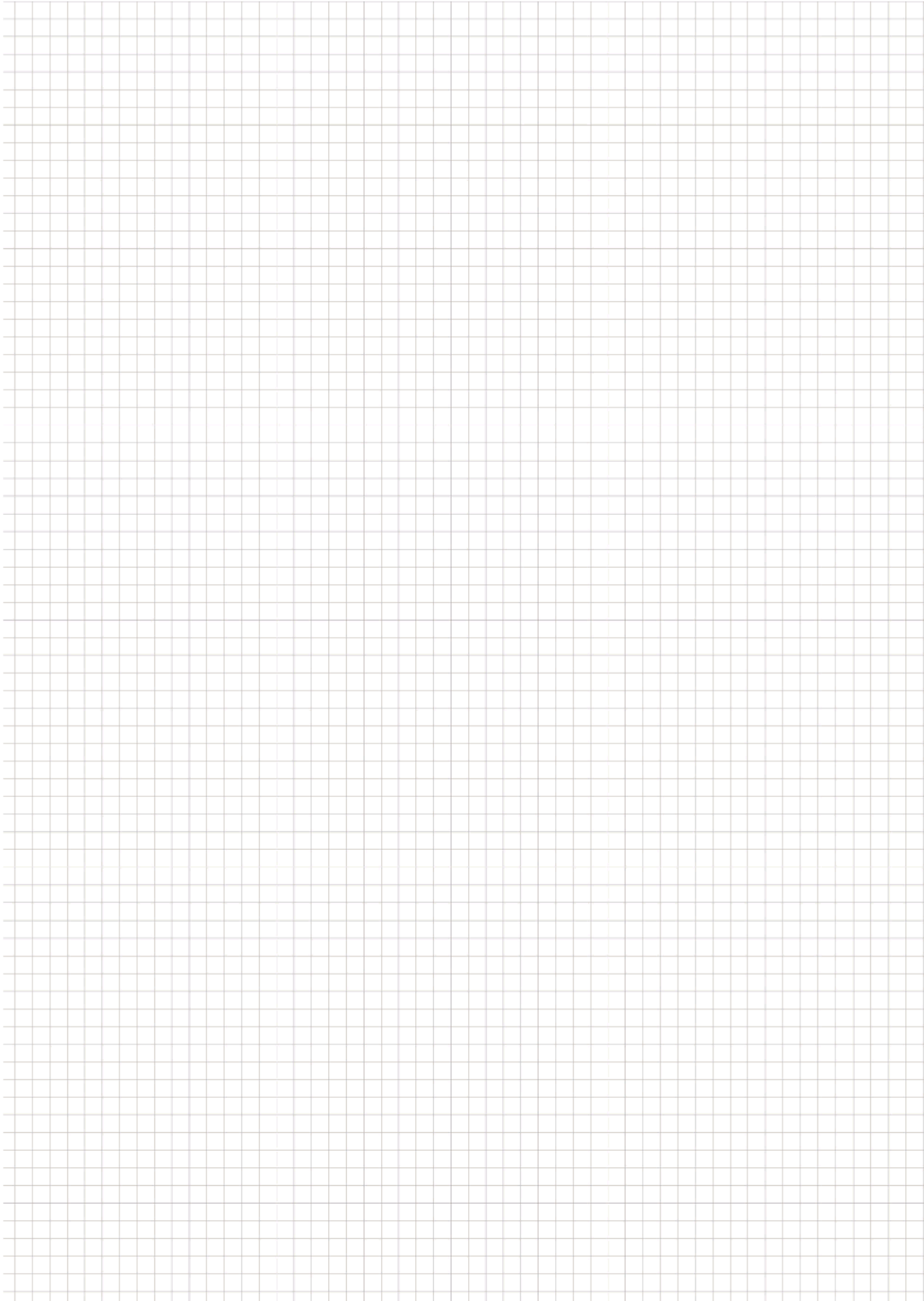


Figure 7. Example elevation drawing - draw each side of your parklet. Grid paper is provided below to help you communicate your design to us if you are not engaging a professional designer. Don't forget to include the dimensions.



## Maintenance Checklist

To ensure your parklet is being regularly maintained the below checklist is required to be completed and submitted to [business@kingston.vic.gov.au](mailto:business@kingston.vic.gov.au) on a monthly basis for the entire duration of the parklet's occupation.

Permit/Agreement holders name	
Host business name(s)	
Permit/Agreement number	
Signature	
Date	

Maintenance Requirement	Actioned	Specify actions undertaken
Landscaping is regularly watered and kept healthy, neat with clear sightlines for cars and pedestrians		
Graffiti has been removed		
Trip hazards have been removed / appropriately secured		
Slip hazards have been remedied to ensure a non-slip surface is provided		
Debris within the stormwater gutter has been removed and water flow is not impeded by the parklet		
Dirt and grime on the parklet structure and furniture has been cleaned off		
Sweeping of the parklet surface and area around the parklet		
The parklet is being cleaned, sanitised and managed in accordance with the Safe Work Australia guidelines: "Cleaning to prevent COVID".		
Any unapproved advertising / signage has been removed		



Non fixed items are being removed out of business hours		
All temporary infrastructure, furniture and equipment is safely secured in place and is not a hazard to road users		
All associated traffic management arrangements are in place		
No part of the parklet or furniture is blocking essential or emergency vehicle access		
The parklet and area around the parklet is kept free of debris which could impact passing road or footpath users		
Any damage to the parklet structure (including access ramps) been remedied and all elements are in good working order		

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## Example Letter of Support

<insert date>

Manager City Economy and Innovation  
City of Kingston  
1230 Nepean Highway  
Cheltenham VIC 3192

**Re: Business Name(s), Street Name, Suburb – Parklet Proposal**

I'm writing to you to express my support for the proposed parklet outside of XXX café at XXX insert Address XXX.

I am a (visitor to the centre / neighbouring business / local resident) and I think the parklet in this location is a great idea because XXXX.

I also understand that the parklet will provide our community an opportunity to enjoy dining in the local area in a safe way that complies with the COVID-19 restrictions.

Regards

Signature

**Name, organisation, contact information**

## Example Petition of Support

Help us get approval for our parklet to support dining out in our local area.


[DATE]

I support (business name) application for a Parklet at (insert address) for outdoor dining.

Name	Address	Contact email	Signature	Resident	Business Owner	Employee	Visitor
Reason(s) for support:							
Reason(s) for support:							
Reason(s) for support:							
Reason(s) for support:							




City of  
**KINGSTON**

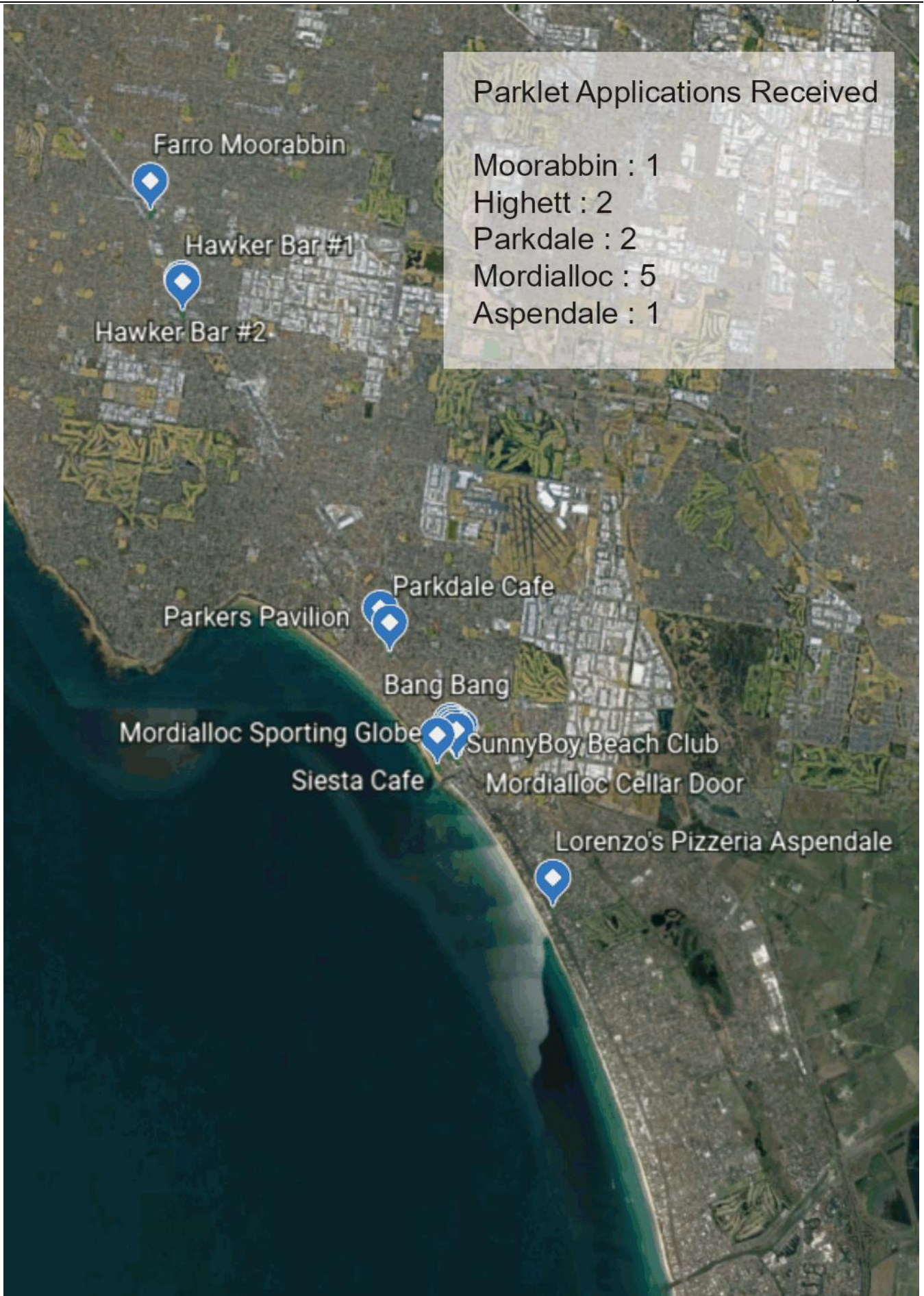
 1230 Nepean Highway,  
Cheltenham, VIC 3192  
PO Box 1000, Mentone, VIC 3194

 1300 653 356

 131 450

 [info@kingston.vic.gov.au](mailto:info@kingston.vic.gov.au)

 [kingston.vic.gov.au](http://kingston.vic.gov.au)







Farro Collaboration  
- Row of parallel spaces  
- 6 x 90 degree spaces



Hawker Bar Collaboration  
- 2 spaces on Railway Pde  
- 1 space on Highett Rd  
- Laneway activation



Parker Pavilion  
- 3 spaces





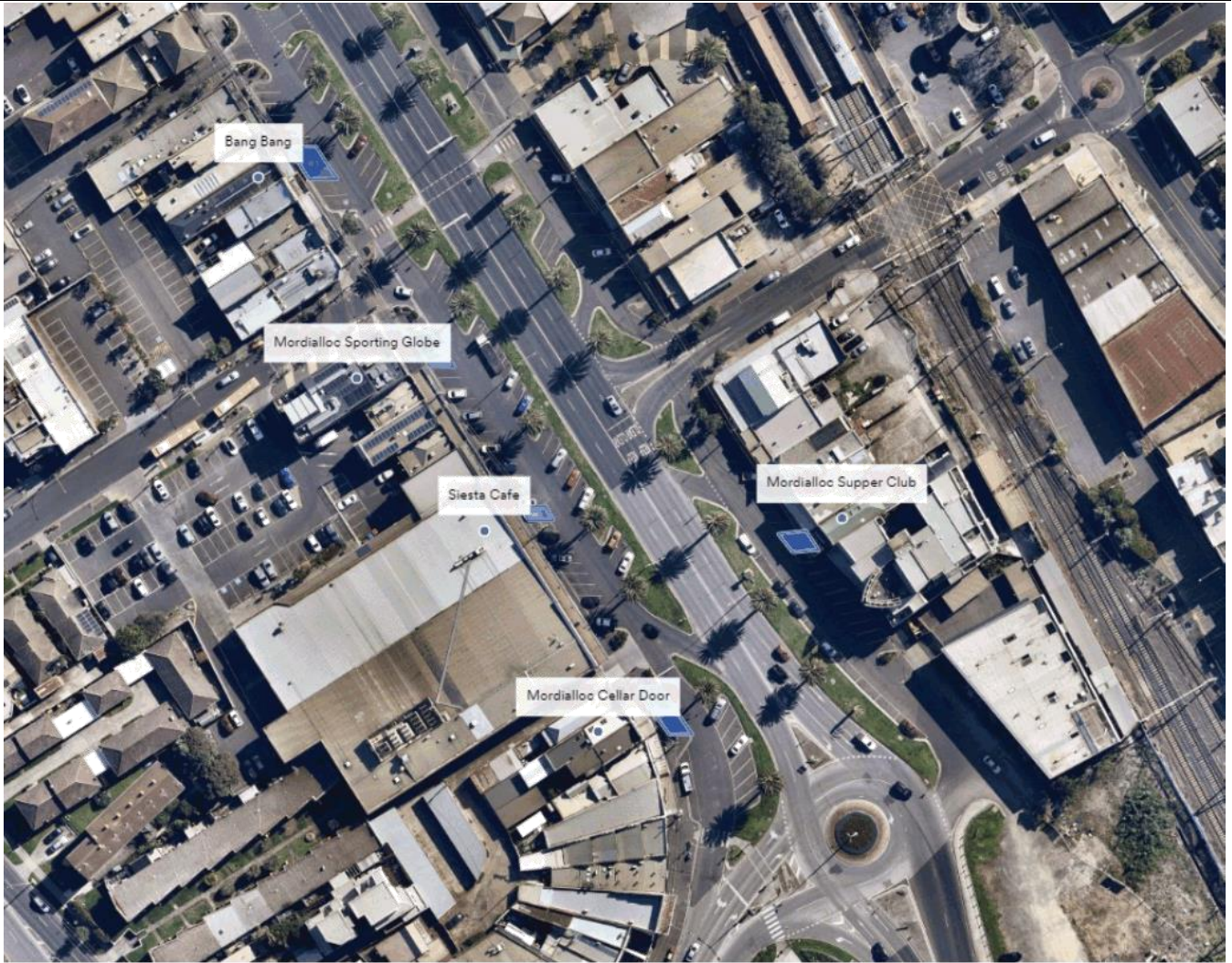


Parkdale Cafe  
- 2 spaces



Lorenzo's Pizzeria  
- 3 spaces





Mordialloc: Carpark spaces proposed for occupation, 5 parklet applications

