

## **1 INTRODUCTION**

Parklets are temporary moveable structures placed in car parking bays, providing publicly accessible seating and amenities for the community. They are small pockets of public space that repurpose part of the street, providing open and engaging spaces for people to linger within the street environment.

Parklets can be provided by the City or a community group as additional nodes of public open space or they can be sponsored by an adjacent host business wishing to extend its alfresco dining opportunities. Should a commercial business sponsor a Parklet, it must, however, remain available to the Public outside of business hours when it is not being utilised by the host business. This will ensure that the Public nature of the Parklet remains.

The design and installation of the Parklet is fully funded by the applicant. Once installed the applicant acts as the host, responsible for the day to day maintenance and ensuring that the area remains clean and attractive.

## **2 POLICY APPLICATION**

This Planning Policy applies to all applications for Development Approval for Parklets within the City.

This Planning Policy should be read in conjunction with the Council's *Public Places and Local Government Property Local Law 2018*.

## **3 POLICY OBJECTIVE**

The objective of this Policy is to:

- (a) Encourage activation of streets and the vibrancy of places through the provision of additional public seating areas along pedestrianised streets;
- (b) Set out requirements to ensure Parklets are appropriately located and of a high quality design, which contributes positively to streetscape;
- (c) Clarify the approval requirements and processes of the City; and
- (d) Ensure that applications for Parklets are dealt with in a consistent manner.

## **4 POLICY STATEMENT**

### **4.1 Location**

Parklets should only be located in commercial centres in areas where public parking for adjoining tenancies will not be unduly compromised. It is strongly recommended that applicants contact the City, to discuss the suitability of a proposed location, prior to lodging an application for a Parklet. In general the following locational criteria will be considered, a Parklet:

- (a) must be located at least one (1) car space or a minimum 6 metres from a street corner;
- (b) must not exceed one (1) car parking bay;
- (c) must be located on a road with a speed limit of 40kph or less, however, they may be considered on roads with a speed limit of up to 50kph in heavily pedestrianised commercial centres, where driver behaviour is not reflective of the speed limit;
- (d) must be located directly adjacent to the host business (unless the Parklet is being provided by the City);

- (e) must not occupy a loading, taxi, bus or accessible parking bay; and
- (f) must not be located on top of the following:
  - (i) street signs;
  - (ii) existing street furniture;
  - (iii) access point
  - (iv) points to water connectors for firefighting;
  - (v) manholes; and
  - (vi) inspection chambers

## **4.2 Design**

Parklets must be constructed using high quality materials that are durable, attractive and present well as a street side addition. Parklets should contribute to the amenity of the area and be in keeping with the character of its location. The City will assess Parklet applications against the following design criteria:

- (a) Parklets must be open and welcoming to the street i.e. they should not present as self-contained structures. The outside (road) edge should be visually permeable through the use of planters, railings, cabling or other suitable means. The inner (footpath) edge should be open;
- (b) Parklets must incorporate planting / landscaping;
- (c) Access into Parklets must be clear and can be readily accessible by all members of the community;
- (d) Parklets must incorporate integrated fixed seating so when temporary seating is removed, the Parklet remains usable to members of the Public;
- (e) Only discreet advertising signage may be incorporated into the design of the Parklet;
- (f) Parklets must incorporate interesting elements and articulation (avoiding large blank walls or panels);
- (g) Materials and finishes must be high quality, weather resistant and durable;
- (h) Parklets must be free standing and not require fixture to an adjacent structure or building to remain upright or stable;
- (i) Decking for the Parklets must be maintained flush to the kerb to prevent any potential slip or trip hazards; and
- (j) White and lightly coloured materials should be avoided, due to the possibility of glare and distraction to drivers.

## **4.3 Technical**

It is important that the design of the Parklet is safe, not only for its users, but also for pedestrians and vehicles using the street environment. The following technical guidelines apply for the design of a Parklet:

- (a) Parklets must not exceed 2.4m in height;
- (b) Wheel stops with retro reflective material must be installed and maintained, at either end of the Parklet with minimum distances as shown in Appendix 1.
- (c) The adjacent parallel parking bays is to be in accordance with AS2890.5 when the Parklet is operational
- (d) Design and construction of the Parklet must ensure that stormwater drainage is not compromised.

It is recommended that a minimum 150mm gap between the base of the Parklet and the kerb to allow for rainwater drainage. Screens at the edge of the Parklet can be provided to avoid build-up of debris under the Parklet.

- (e) Parklets must not impede, require the alteration, removal or extension of any public service, landscaping, utilities, kerbing, or civic infrastructure;
- (f) Parklets must be designed to accommodate the natural gradient of the land;
- (g) Parklets must have ability to be dismantled or removed within 24hrs, for maintenance or remedial works;
- (h) Parklet design must have structural certification from a suitably qualified engineer;
- (i) A 0.3m buffer between the Parklet and the edge of the traffic lane must be maintained;
- (j) The design of the Parklet must not interfere with the function and/or negatively impacting on vehicle and pedestrian movements, sightlines at road junctions, vehicle crossovers etc.;
- (k) Parklets must be constructed to enable adequate and sufficient cleaning under the floor;
- (l) Soft hit bollards must be installed at the roadside corners of the Parklet; and
- (m) Parklet flooring must have no slip or anti slip finish.

Notwithstanding the requirements outlined at Section 4.2, Parklets should generally reflect the “Parklet Design” specification found at Appendix 1 of this Policy.

#### **4.4 Public Liability Insurance**

Public Liability insurance cover must be held for the Parklet to a value of \$20M at all times. A copy of the current certificate is to be provided to the City prior to the Parklet approval being issued.

#### **4.5 Consultation**

If, in the opinion of the Manager Statutory Planning Services, an application for a Parklet has the potential to have amenity impacts on adjoining landowners or residents, the application will be the subject of a process of community consultation in accordance with *Town Planning Scheme No.2 (TPS2)* and *Planning Procedure No.1.3 – Community*.

#### **4.6 Parklet Removal**

Parklets are temporary structures and will be subject to a 12 month approval, unless otherwise agreed. The City will impose a condition on Development Approvals requiring that Parklets be removed within 24 hours of notification. The Parklet host must undertake any necessary rectification works to the satisfaction of the City, within the required time frame.

Removal costs for the Parklet and the cost for any damage or modification works, involved in returning the road surface, kerbing, footpath, and any infrastructure, to a safe and useable condition, are the host’s responsibility.

#### **4.7 Outdoor Eating Area Permit (Health)**

Should a host business wish to utilise a Parklet for alfresco dining, an Outdoor Eating Area Permit is also required from the City’s Health Services. The standard Outdoor Eating Area Permit application requirements must be satisfied, as well as the Parklet design requirements. Outdoor Eating Area Permits are issued by the City on an annual basis.

A business may wish to provide alfresco dining on the footpath in conjunction with a Parklet. In such situations the alfresco dining area must be designed to complement the Parklet structure, taking guidance from the relevant elements of section 4.2 above.

Should a host business obtain an Outdoor Eating Permit for its Parklet, the host and its customers will have exclusive use of the Parklet during the business operating hours. Outside of operating hours, however, the Parklet must be available to the general public for use.

## **5 APPLICATION PROCEDURE**

In addition to the requirements of Clause 62 of the deemed provisions of TPS2, an application for Development Approval for a Parklet should include the following information:-

- (a) A completed application form (signed by the CEO of the City of Rockingham as the landowner);
- (b) A written submission describing the proposal;
- (c) Photographs of the car parking bay proposed to be used as a Parklet as well as photographs of the surrounding commercial tenancies;
- (d) A site plan showing the location of the car parking bay and the proximity to the host tenancy;
- (e) A floor plan showing the dimensions of the Parklet as well as details of tables and chairs;
- (f) Elevation plans;
- (g) A schedule of materials and colours;
- (h) Details of any signage;
- (i) A management plan for the Parklet detailing the applicant's responsibility for the day-to-day management, upkeep and maintenance of the Parklet;
- (j) Payment of the application fee;
- (k) Public Liability insurance certificate to a value of \$20M; and
- (l) Any specialist reports that the City may require e.g. an acoustic report may be required if the Parklet is proposed to be located in close proximity to residential land uses.

## **6 AUTHORITY**

This Planning Policy has been adopted by the Council under Clause 4 of the deemed provisions of TPS2 and whilst it is not part of TPS2 and does not bind the Council in respect of any application for Development Approval, the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

## **7 DELEGATION**

Where an application for Development Approval has been the subject of a process of community consultation and substantiated objections are received, the application for Development Approval will be referred to the Council for determination.

All other applications for Development Approval will be determined under delegated authority.

## **8 ADOPTION**

This Planning Policy was adopted by the Council at its ordinary Meeting held on the 29 October 2019.

APPENDIX 1- PARKLET DESIGN SPECIFICATIONS

