



## **PARKLET GUIDELINES**

These guidelines used to assist the Shire of Dandaragan in making decisions under the Scheme. The Scheme prevails should there be any conflict between this guideline and the Scheme.

It is not intended that a guideline be applied rigidly, but each application be examined on its merits, with the objectives and intent of the guideline the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, be limited to the guidelines and that mere compliance will result in an approval.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

## **SCOPE**

A guideline is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the guidelines and the objectives which the guidelines are designed to achieve before making its determination.

## **OBJECTIVE**

- 1 To enhance the interest, amenity and vitality of parts of the towns by encouraging temporary, well designed, safe and functional parklets in compatible public spaces.
- 2 To ensure that the loss of public parking space(s) caused by the parklet installation would not be significantly detrimental to the parking needs of the immediate locality.
- 3 To ensure that an adequate proportion of the road reserve is available for unrestricted vehicle movement. This is to ensure the primary use of the road reserve, namely safe vehicle and pedestrian movement, is maintained.
- 4 To promote a vibrant street life balancing the interests and needs of residents and visitors alike.
- 5 To limit the impacts on the public amenity and the characteristic streetscape of the area and the street.

## **STATEMENT**

### **General**

- 1.1.1 Taking advantage of the road reserve (public parking) for trade purposes is a privilege not a right. The community expects traders to keep certain common principles.
- 1.1.2 Parklets should only be approved where they are directly associated with an adjacent food establishment or business.
- 1.1.3 Parklets shall not, in the opinion of the local government conflict with, or inconvenience, other adjacent businesses.
- 1.1.4 Any approval granted for a parklet installation will initially be for a maximum period of 2 years. Notification of an approval will include a statement that the Council retains absolute discretion in determining whether to approve any subsequent application to renew the approval, and if an approval is renewed it may be for a shorter period than the original approval.
- 1.1.5 Unless otherwise specified, at the end of a parklet's approval period the parklet must be removed and the road reserve reinstated to the same condition as existed prior to the parklet's installation
- 1.1.6 All costs associated with the construction, maintenance and removal of a parklet must be borne by its proponent.
- 1.1.7 Public liability insurance cover of \$20 million is required.
- 1.1.8 The parklet will be made available for use by any member of the public regardless of whether or not they are customers of the business responsible for the parklet.
- 1.1.9 In the event that, in the opinion of the Chief Executive Officer, the Parklet is not regularly managed in accordance with these guidelines, the Chief Executive Officer may cancel the approval without notice.

### **Location and Design Requirements**

- 1.1.10 The design of the proposed parklet is interesting and creative, demonstrates an improvement in the quality of public space, is compatible with the established streetscape character, encourages interaction, provides adequate disability and universal access and maintains or improves public safety in the street.
- 1.1.11 If directly adjacent to a road, the parklet will be located on a road where the posted maximum vehicle speed limit is 40kph or lower.
- 1.1.12 The location and design of the parklet is not likely to negatively impact upon the amenity of occupiers in buildings in close proximity to the parklet.
- 1.1.13 The proposed parklet would contribute to a diversity of uses in the locality.
- 1.1.14 The loss of public parking space(s) caused by the parklet installation would not be significantly detrimental to the parking needs of the immediate locality.
- 1.1.15 The maximum number of existing street parking spaces that may be replaced by the proposed parklet should not exceed two (2). Only the parking space(s) in front of the premises occupied by the person/business proposing the parklet may be proposed for replacement, and if the space(s) involved partly overlap the frontage of an adjoining property, the potential impact of the parklet on that property's use and access from the street will be considered in assessing the proposal.
- 1.1.16 The parklet proposal includes easily removable fixed structures and adequate lighting.

- 1.1.17 The parklet shall be required to display signage, to the satisfaction of the Shire, on or near the parklet indicating that the parklet is for public use.
- 1.1.18 The installation of the parklet will not result in the loss of a space that serves a valuable public purpose such as space for the purpose of public transport, taxis, service vehicles, or people with disabilities. Council may consider a variation to this requirement where the applicant demonstrates that suitable alternative arrangements can be made to compensate for the loss in space.
- 1.1.19 The location and design of the parklet will not impede or negatively impact upon pedestrian or vehicular movement or sightlines at road junctions and vehicle access crossovers, or impede emergency vehicle movements.
- 1.1.20 The parklet proposal demonstrates that it will be constructed in such a manner that it is capable of being removed and the road reserve being reinstated, to the same condition as it was previously to the parklet installation, within a 24 hour period.
- 1.1.21 The constructed parklet will not interfere with the functioning, or result in the damage or permanent removal, of existing infrastructure such as hardstand infrastructure (kerbing, paving, crossovers or road drainage), verge trees, lighting, underground services or other services.
- 1.1.22 The applicant will be responsible for ensuring that there is no table service at the Parklet, including the placement of condiments or napkins.
- 1.1.23 The Parklet shall be kept clean of litter, grime and graffiti. The surfaces and area underneath the platform should be rinsed out on an as needs basis.
- 1.1.24 The applicant must keep plants in good health, including watering, weeding, and trimming when necessary.
- 1.1.25 Any movable items, such as tables and chairs, must be either locked down at night or taken inside. All chairs and furniture placed on the Parklet must be different from the existing furniture of your business, including any existing outdoor eating area furniture. Umbrellas used for shading must be secured safely.
- 1.1.26 Smoking and the consumption of alcohol (without a permit) on the Parklet is not permitted.

### **Application Requirements**

- 1.1.27 Before placing a parklet on public areas you are required to obtain firstly a Planning Approval (from Planning Services) and subsequently a Permit to Conduct an Outdoor Eating Facility (from Environmental Health).
- 1.1.28 A Planning Approval shall only remain valid while the Permit required remains current and valid. On the expiration or earlier termination of the Permit, the Planning Approval shall cease to be valid.
- 1.1.29 An application for a parklet must include:
  - a) A completed and signed application form including a description of the proposal.
  - b) Two copies of site and elevation plans (A4 or A3 to scale 1:100) showing all dimensions, north point, location and street context, existing and proposed infrastructure, including safety measures, proposed means of access for pedestrians, including those with disabilities, existing ground levels and proposed finished floor levels, location of all tables, chairs and any other object(s).

- c) A management plan for the parklet that details the applicant's responsibility for the day-to-day management, upkeep and maintenance of the parklet.
- d) Any additional information that would help with the assessment of the parklet, such as colour photographs, brochures or other details on the materials and finishes of proposed furniture, fixtures and/or signage.
- e) A certificate of currency for public indemnity insurance to a minimum value of \$20 million.
- f) A bond payment or unconditional bank guarantee to cover the cost of any removal, maintenance or reinstatement works which the Shire may have to carry out due to default on the part of the applicant.
- g) Written support for the Parklet from adjoining businesses.