

9.7 AMENDMENT TO POLICY NO. 2.2.13 - PARKLETS

Attachments: 1. Policy No. 2.2.13 - Parklets

RECOMMENDATION:

That Council:

1. **NOTES** the submissions received as detailed in the report; and
2. **ADOPTS** Policy No. 2.2.13 – Parklets included as Attachment 1.

PURPOSE OF REPORT:

To consider amending Policy No. 2.2.13 – Parklets to allow Administration discretion to support an application for a liquor licence to apply in a parklet.

BACKGROUND:

At its meeting on 5 March 2019 Council authorised the Chief Executive Officer to advertise an amendment to Policy No. 2.2.13 – Parklets, to remove the provision that prohibits the consumption of alcohol in parklets. This allows the City to support liquor licence applications subject to conditions and guidance.

The amendment to Policy No. 2.2.13 – Parklets includes the following new section on page 12:

1. *Alcohol Consumption*

The City may support an application made to the Department of Racing, Gaming and Liquor (DRGL) for a liquor licence for a Parklet subject to the following:

- *The liquor licence is to be obtained by the Parklet host; and*
- *The liquor licence is to be in conjunction with an approved licensed premise such as an existing restaurant or small bar;*
- *Liquor can only be served in a Parklet in conjunction with a meal; and*
- *Any application to license a new or existing Parklet is subject to community consultation as specified in part 4 of this Policy.*

The City may restrict the hours when alcohol is permitted to be served in the Parklet.

The advertised amendment also included minor spelling and grammatical modifications.

DETAILS:

The amendment to Policy No. 2.2.13 – Parklets was advertised pursuant to Part 2 of the City's Policy No. 4.1.1 – Adoption and Review of policies which requires a 21-day advertising period by means of written notification to affected properties as determined by the City and a newspaper advert. The affected properties are those contained within town centre borders as this is where the current parklets are located. In addition to this, a notice was placed on the City's website and this was communicated through social media channels.

The advertising period was from 18 August 2020 to 18 September 2020. The advertising extended beyond the required 21-day period due to letter delivery delays caused by COVID-19.

During advertising three submissions were received. Of these submissions, two submissions supported the amendment with no additional comments and one was opposed.

The submission which opposes the amendment has raised the following opinions and concerns:

- There is a shortage of public parking in the City;
- Short term parking should be prioritised to benefit non-hospitality businesses; and
- There should be further encouragement of business diversity in Leederville specifically.

The issues raised in this submission relate to the parklet program in general, while the proposed amendment is related to the licencing of approved parklets. It could be reasonable to presume that, by permitting liquor licencing of parklets, food and beverage operators are incentivised over shops and services. This is not the intention of the policy amendment and it is unlikely that this will be an observable outcome since each application requires association with an already existing licensed premise, as well as being subject to community consultation.

The submission also proposes multi-storey car parking in Leederville as a way of mitigating the loss of street parking. The multi-storey car park proposal was addressed in the 2012 Leederville Master Plan and will be investigated as part of the Leederville Activity Centre Plan. Parking surveys undertaken in Leederville demonstrate that there is sufficient short term parking provision through both the Avenue Car Park and Frame Court Car Park.

Following consultation, no modifications are proposed to be made to the amended Policy No. 2.2.13 – Parklets as **Attachment 1**.

CONSULTATION/ADVERTISING:

No further consultation is required.

LEGAL/POLICY:

- City's Policy No. 4.1.1 – Adoption and Review of Policies sets out the process for repealing and adopting policies.
- City Policy 4.1.5 – Community Consultation – specifies the community consultation required.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to adopt the amendment to Policy 2.2.13 – Parklets.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Thriving Places

We are recognised as a City that supports local and small business.

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Sensitive Design

Our built form is attractive and diverse, in line with our growing and changing community.

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

SUSTAINABILITY IMPLICATIONS:

Nil.

PUBLIC HEALTH IMPLICATIONS:

The Public Health Plan 2020-2025 (PHP) contains a long term health outcome to reduce harmful alcohol use. The policy amendments state that liquor can only be served with a meal. This means parklets cannot be used for alcohol consumption in a standing only area for a liquor licensed business, without a meal. The PHP requires that public health principles are incorporated into applications relating to alcohol, which include prevention of anti-social behaviour and avoiding alcohol related harm.

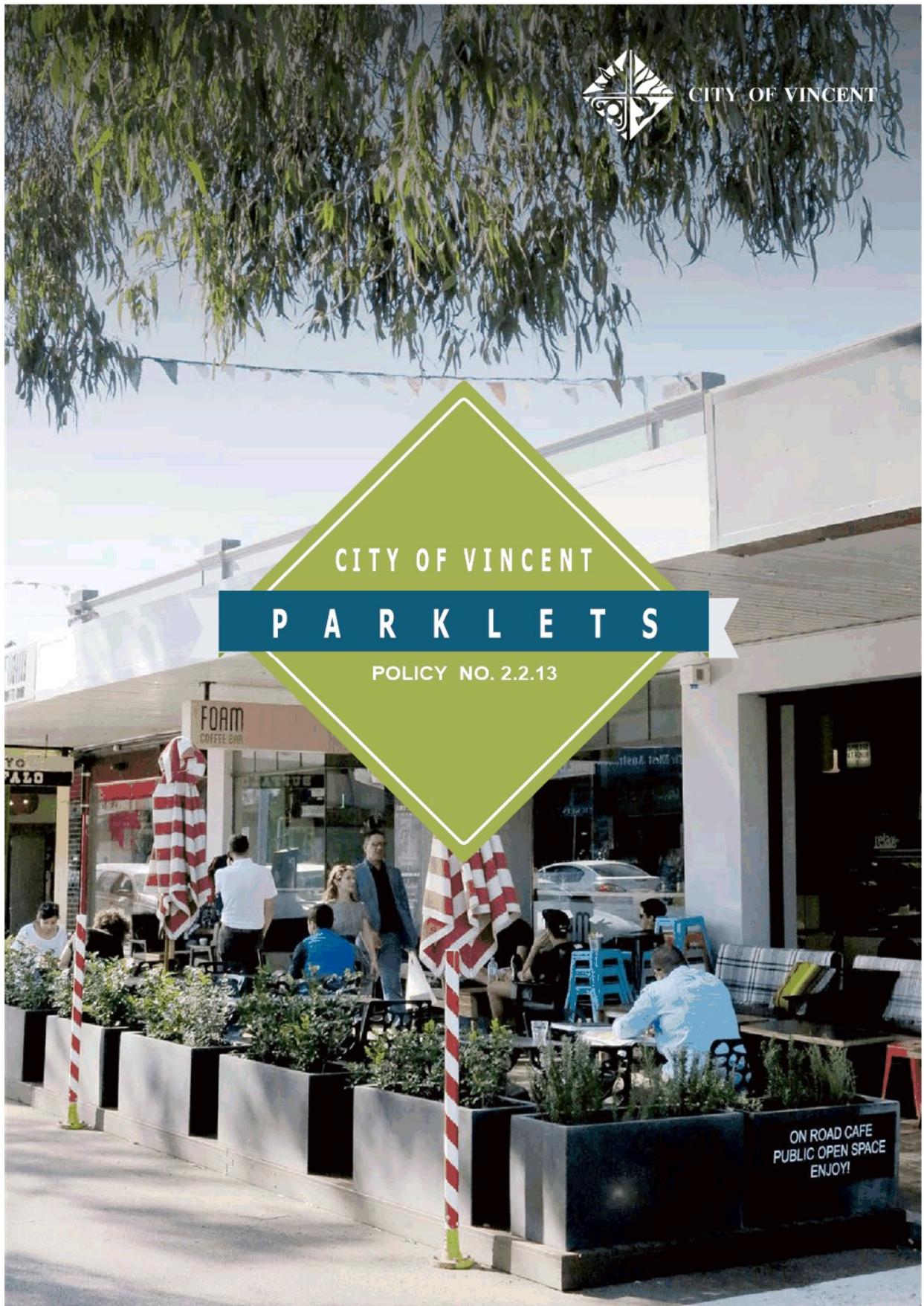
FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The proposed amendment to Policy No. 2.2.13 – Parklets will allow parklet hosts to further activate the space and add vibrancy to the public realm by attracting more customers. The proposed criteria would ensure that consumption of alcohol in parklets is in conjunction with an approved business such as a restaurant and the business owner would assume responsible service of alcohol in accordance with their liquor licence and any conditions included in the parklet agreement. Any business owner hosting a parklet is still required to comply with any applicable development approval conditions relating to operating hours and patron numbers.

Given that the City is the landowner, the Department of Racing Gaming & Liquor will require the City's consent prior to issuing a liquor licence. The City is able to recommend a time limitation on a liquor licence application and as the landowner may at any point revoke its support. This gives the City the ability to monitor the licensed parklets and ensure that there is no negative impact on the area.



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APPLICATION FORM

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- 2. Designer information
- 3. Anticipated timeline
- 4. Pictures of existing site
- 5. Site plan
- 6. Concept design submission
- 7. Community support
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1. WHAT IS A PARKLET?



Parklets are small public parks set into the existing streetscape. A Parklet repurposes part of the street into a public space for people and enhances the streetscape by adding interest and amenity. They are for anyone to use, providing a place to rest, eat or work. They provide simple amenities like shade, bike parking and seating. They help local businesses by encouraging people to linger longer, and are a point of interest in the community for residents and visitors to experience.

Parklets can add value to the surrounding area, increase commercial and residential occupancy, encourage pedestrian traffic, highlight the character of the neighbourhood and provide pleasant views and entertainment space.

In the City of Vincent (City) there are two types of Parklets, City Parklets and Hosted Parklets. City Parklets are funded, designed, built and maintained by the City. Hosted Parklets are sponsored by a business or community group (the applicant) and are funded, designed, built and maintained by the applicant.

Hosted Parklets, like City Parklets, are for everyone to use and are not reserved for customers of particular businesses.

The City of Vincent Parklet Project is based on the 'Pavements to Parks' Program in San Francisco. More information on that can be found here: <http://pavementtoparks.sfplanning.org/>

2. WHY A PARKLET?

PARKLET PROJECT OBJECTIVES

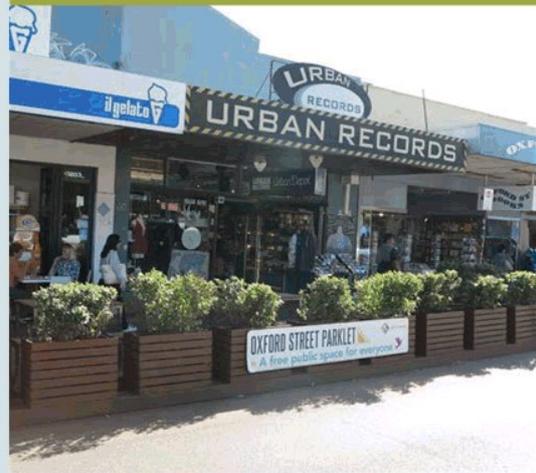
PROMOTE VIBRANCY IN THE CITY'S TOWN CENTRES



ENHANCE WALKABILITY



SUPPORT LOCAL BUSINESS



ENCOURAGE PEDESTRIAN ACTIVITY



FOSTER COMMUNITY INTERACTION

3. WHO CAN HOST A PARKLET?

The design and installation of a Hosted Parklet is fully funded by the applicant. Hosting a Parklet means you are responsible for obtaining the approvals, submitting the design and overseeing construction. Once installed the applicant acts as the host, and is responsible for the day to day maintenance to ensure that the area remains a clean and attractive space for everyone to enjoy.



BUSINESS OWNERS



PROPERTY OWNERS



**NOT FOR PROFIT
& COMMUNITY
ORGANISATIONS**

4. APPROVAL PROCESS

HOW DO I HOST A PARKLET?



5. FEES & CHARGES



APPLICATION

Application Fee* is to be paid upon submitting the Application Form.



PERMIT

Once the Application is approved, a Permit Fee* is required. This lasts for 24 months.



MAINTENANCE

Maintenance for upkeep, furniture and cleaning is at the expense of the applicant.

* Refer City of Vincent Fees & Charges Schedule

6. PUBLIC LIABILITY INSURANCE

The applicant will be required to obtain and hold current a policy of insurance for Public Liability for an amount of not less than \$20,000,000.00 (twenty million dollars). A copy of the current certificate is to be provided to the City.

7. SELECTION PROCESS

City Officers will review and assess each application. The decision to approve a Parklet will be based on a number of factors including the location, level of demonstrated community support, quality of the design concept and how the Parklet will be used. Officers will also consider the proposed site's conditions (e.g. street speed limit, slope, distance from a corner), the timing of any planned street works, and other factors that may arise. The final decision will reside with the City's Chief Executive Officer under delegated authority.

FEATURES OF A SUCCESSFUL APPLICATION

✓	Meets all technical requirements
✓	Innovative design that follows the general design guidelines
✓	Demonstrated support from neighbouring residents and businesses
✓	Support from adjacent property owner(s)
✓	Identified, secured funding for construction
✓	Commitment of applicant to manage cleaning and landscaping

8. LOCATION CRITERIA

Parklets shall only be considered on roads in town centres and in commercial areas. 'Protected' embayed parking spaces which serve public transport, taxis, service vehicles or people with disabilities will not be considered.



SPEED LIMITS

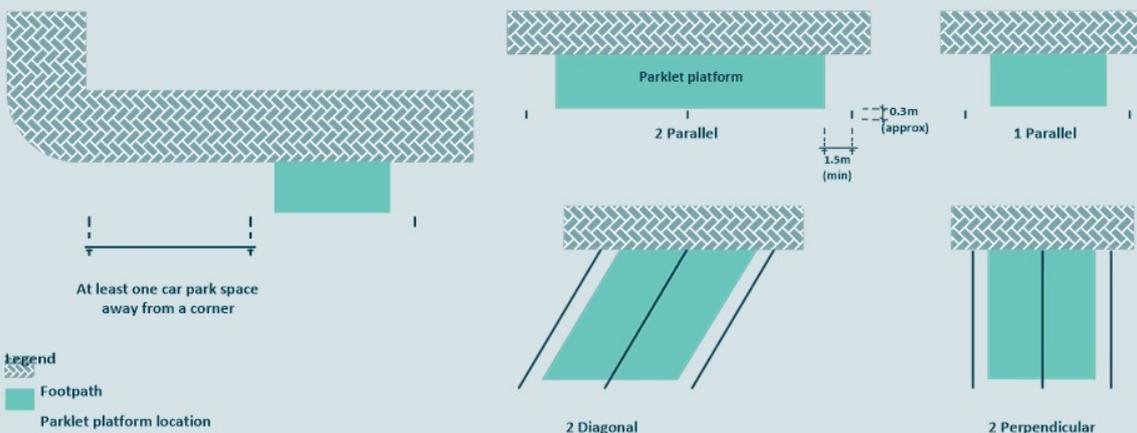
- Parklets are only to be on roads where the speed limit does not exceed 40kph, or on roads where traffic calming is in place and the speed limit does not exceed 50kph.



PARKING SPACES

- Parklets must generally be located at least one car park space from a corner;
- Parklets can be considered in any location where there is a space for on-street, parallel, angled, diagonal or perpendicular parking – including spaces which are metered;
- Parklets will not impede or negatively impact upon pedestrian or vehicular movement, sightlines at road junctions or vehicle access crossovers, or impede emergency vehicle movement;
- Where a community group, business or property owner is the applicant, a maximum of two parking bays shall be used adjacent to the applicant's premises, with support from neighbouring businesses;
- Parklets must not be located on roads classified as Primary Distributor or four lane District Distributor roads;
- The Parklet platform structure shall have a minimum buffer distance between the roadside outer edge of the parking space and the edge of the structure (approximately 0.3 metres). This buffer distance will be determined by the City on a case by case basis; and
- The Parklet platform structure shall have a minimum buffer distance of 1.5 metres between the outer edge of adjacent parking spaces and the edge of the platform structure.

Below are some examples of suitable parking spaces



9. PLATFORM & INSTALLATION REQUIREMENTS

9.1 PARKLET PLATFORM

- 9.1.1 The Parklet platform should be freestanding and not require anchoring into the City's road infrastructure. If a safety issue presents itself and anchoring is required, this will be assessed on a case by case basis and will be at the expense of the applicant and will require City approval;
- 9.1.2 The top of the Parklet platform must be flush with the footpath with a maximum gap of one centimetre. In the case of a sloping street, the designer must work with the City to address issues of access;
- 9.1.3 The surface material should be non-slip. Loose particles such as sand or loose stone, are not permitted;
- 9.1.4 Kerbside drainage channel must not be blocked;
- 9.1.5 The structure shall be designed to have sufficient load-bearing capacity but also be designed for easy removal. No Parklet component may weigh more than 100 kilograms per square metre; and
- 9.1.6 Gas installations shall not be permitted within the structure.

9.2 SEMI-PERMANENT

- 9.2.1 The Parklet should be able to be removed completely within a 24 hour period; and
- 9.2.2 Part or all of a Parklet may have to be temporarily removed for street improvements, utility work, emergencies, or repeated violations of the contract. In the case of planned maintenance, the applicant is responsible for the removal, storage and reinstallation of the Parklet.

9.3 ACCESSIBILITY

- 9.3.1 The Parklet must only be accessible from the adjoining footpath via an unobstructed section which must be at least 1.5 metres wide.

9.4 CONSTRUCTION (up to 6 months after permit issuance)

- 9.4.1 You have six months after the date the City issues your permit to have completed construction.

9.5 PRE-INSTALLATION ON-SITE INSPECTION

- 9.5.1 You or your contractor are required to notify the City at least 7 days before beginning any site work to schedule a pre-installation on-site inspection with one or more of the City's Officers. During this inspection all structures in the streetscape requiring removal will be nominated. These may include but are not limited to trees, utilities, bike racks, ticket machines etc; and
- 9.5.2 The removal and relocation of all structures in the streetscape will be at the expense of the applicant and must be relocated prior to any site works being undertaken.

9.6 REQUIRED MATERIALS

- 9.6.1 You or your contractor must purchase and install the required safety materials and signage during construction, ready to be installed on the first day of operation.

9.7 BUILDING PERMIT & INSTALLATION

- 9.7.1 Structural Certification must be supplied to the City prior to installation. As much of the construction as possible should occur offsite;
- 9.7.2 Installation should not take more than six hours and will require a Traffic Management Plan (at the applicant's expense); and
- 9.7.3 A Building Permit will only be required where the Parklet platform area exceeds 10 square metres or is more than 2.4 metres in height. If the shade structure exceeds 3.0 metres Planning Approval will also be required as this is no longer considered a minor development.

9.8 POST-CONSTRUCTION ON-SITE INSPECTION

- 9.8.1 You or your contractor are required to notify the City within 24 hours of the completion of the Parklet construction to schedule a post-construction on-site inspection.

10. DESIGN REQUIREMENTS

10.1 PARKLETS ARE PUBLIC

10.1.1 Parklets are public spaces and should feel open and welcoming to passers-by, even those who may not intend to patronise your business.

10.2 NO ADVERTISING

10.2.1 Logos, advertising, or other branding is prohibited. A small unobtrusive plaque recognising project sponsors and material donors may be acceptable.

10.3 SAFETY MATERIALS

10.3.1 You or your contractor must purchase and install the following required materials;

- Wheel stops - these are rubber with yellow stripes and act as a barrier for vehicles. One wheel stop at each end is required.
- Soft hit posts - at least one at each corner of the Parklet (roadside) is required.

10.4 'PUBLIC PARKLET' SIGN

10.4.1 You are required to install two City of Vincent 'Public Parklet' signs. These will be supplied by the City and will state that all seating must be publicly accessible at all times. Make sure you show the locations of the signs in your concept design.

- You are required to install two signs and show the location of each on your concept design.

10.5 NAME YOUR PARKLET

10.5.1 We encourage you to name your Parklet and include the Parklet name in your design. Only names which are considered location based names (e.g. Barlee Street, Albert Square Parklet) will be acceptable. You can include the name as part of the Parklet structure or as a sign affixed to the structure.

10.6 GREENERY

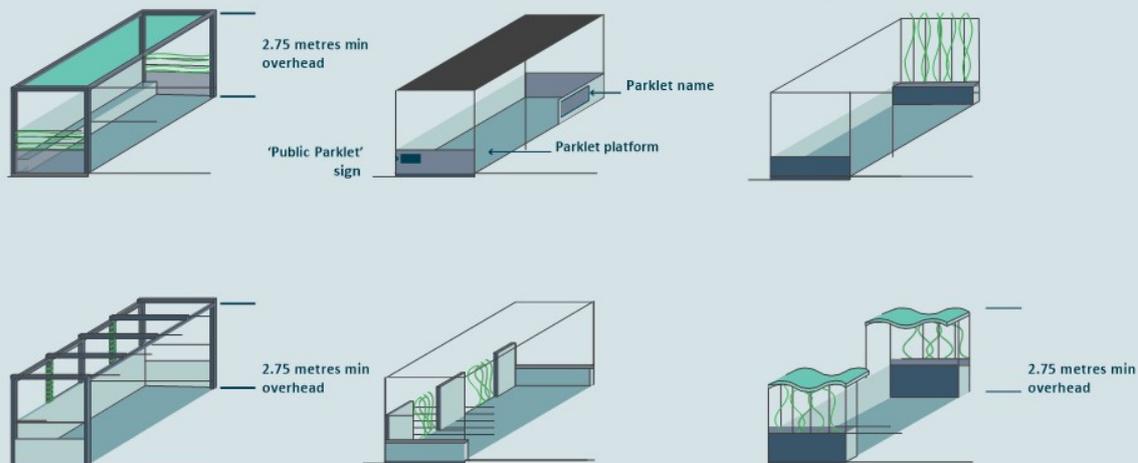
- You are required to incorporate planter boxes or an element of greenery into your design.

10.7 ENCLOSURES AND VERTICAL ELEMENTS

10.7.1 A positive edge must be formed along the sides of the Parklets facing the roadway and parking bays to offer adequate protection for Parklet users from moving vehicular traffic. This can take the form of planters, railing, cabling, or some other appropriate buffer. The height and scale of the buffer required will vary depending on the local context. For example, on some low-traffic streets, a continuous edge may not be required. The City will determine this on a case by case basis in collaboration with the applicant;

10.7.2 The structure shall have vertical elements (e.g. planters, umbrellas) so that it is visible to vehicles; and

10.7.3 Where shade structures are used they need to be adequately secured and the outer edges of any shade structure must not extend beyond the edges of the Parklet. Shade structures shall have a minimum clearance of 2.75 metres above the Parklet platform.



11. DESIGN CRITERIA

Think about who would use the Parklet – is it a popular children’s area? Do cyclists frequent your business? Aim to service the needs of your immediate community!

- Parklets should include some permanent seating integrated into the structure, so if removable seating is packed away at closing time, the Parklet can still be used; and
- Where possible, integrated bicycle parking is strongly encouraged. This can be incorporated into the design of the Parklet or on the street adjacent to the Parklet (with assistance from the City).

CREATIVITY

Think outside the standard tables and chairs on a platform!

Think outside the traditional planter box to add greenery!

01



SUSTAINABILITY

Use locally sourced, sustainably harvested and recycled materials where possible.

02

QUALITY

Each structure shall be finished with quality materials and planting.

Make sure to make your seating comfortable!

03



12. MANAGEMENT

WITH A GREAT PARKLET COMES GREAT RESPONSIBILITIES....

General Management:

Remember Parklets are public! Parklets are free and open to all members of the public to use.

The applicant will be responsible for ensuring that there is no table service at your Parklet, including the placement of condiments or napkins.

Keep it clean! 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.

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.

Smoking in the Parklet is not permitted.

Landscaping:

The applicant must keep plants in good health, including watering, weeding, and trimming when necessary.

Alcohol Consumption:

The City may support an application made to the Department of Racing, Gaming and Liquor (DRGL) for a liquor licence for a Parklet subject to the following:

- The liquor licence is to be obtained by the parklet host; and
- The liquor licence is to be in conjunction with an approved licensed premise such as an existing restaurant or small bar;
- Liquor can only be served in a Parklet in conjunction with a meal; and
- Any application to license a new or existing Parklet is subject to community consultation as specified in part 4 of this Policy.

The City may restrict the hours when alcohol is permitted to be served in the Parklet.





APPLICATION FORM

1. APPLICANT INFORMATION

Proposed Parklet Address	
Nearest Cross Street	
Business Name	
Postal Address	
Contact Name 1	
Contact Phone 1	
Email Address 1	
Contact Name 2	
Contact Phone 2	
Email Address 2	

2. DESIGNER INFORMATION

Please tick one option.

I don't know yet	Designer Name:	
	Company Name:	
I'll design it myself	Phone:	
	Email:	
I'll hire a designer	Do you have a detailed design:	

3. ANTICIPATED TIMELINE

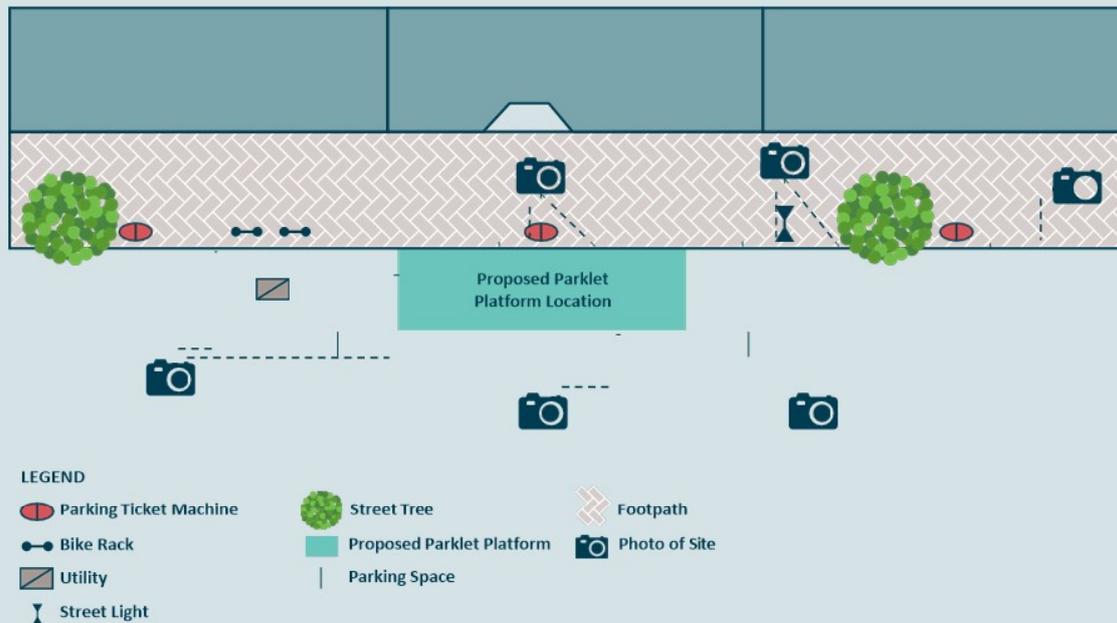
If your application is successful.

How long do you think it will take to submit a detailed design?	
When would you like to have the Parklet installed?	

APPLICATION FORM

4. PICTURES OF EXISTING SITE

Provide pictures of the existing site conditions of the proposed Parklet location. The following diagram demonstrates where photographs may be taken. These should include adjacent parking spaces, sidewalks and and/or building façades in front of the proposed location.



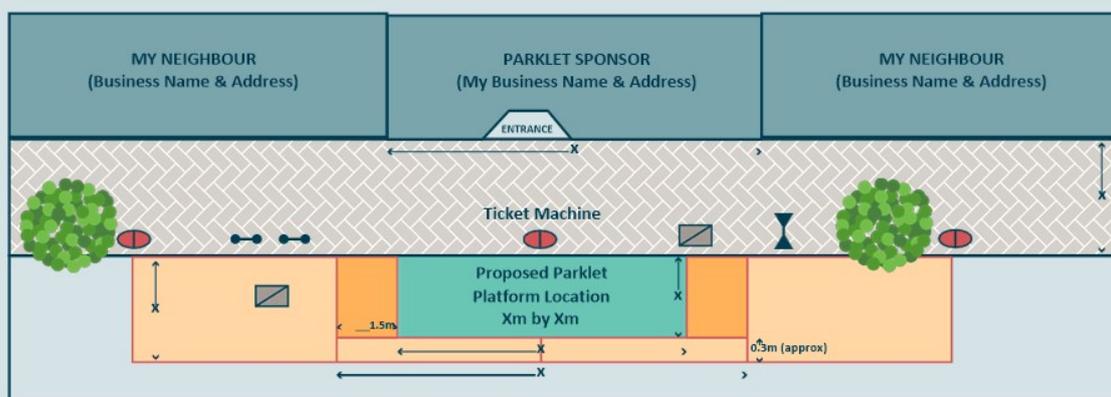
APPLICATION FORM

5. SITE PLAN

Provide a site plan of the existing space for the proposed Parklet installation. This can be created digitally or hand drawn. Below is a sample that can be used as a template.

The following are items to include in the site plan:

- Your building/ business and neighbouring properties (include addresses);
- Proposed Parklet and dimensions;
- Proposed Parklet location and 1.5m buffer dimension(s) adjacent to car park spaces (not to be included in Parklet size);
- On-street adjacent features (e.g. trees, utilities, bike racks, ticket machines). You can create your own graphic design symbols for other streetscape features not mentioned on the sample below; and
- Any unique features.



LEGEND

Parking Ticket Machine	Street Tree	Footpath
Bike Rack	Proposed Parklet Platform	Distance
Utility	1.5m Required Buffer	
Street Light	Parking Space	

6. CONCEPT DESIGN SUBMISSION

Provide a brief summary explaining your initial concept and how it will look on the street. This should include:

- Proposed materials, amenities, location and number of car park spaces proposed;
- Images of design inspiration for the "look" you are trying to achieve;
- Drawings, plans and any other information that will help your application (e.g. location and type of greenery, proposed parklet name etc); and
- The type of enclosure you will have from the street (e.g. planter boxes etc).

DESIGN REQUIREMENTS CHECKLIST:

- Wheel stops
- Soft hit posts
- Public Parklet signage
- Greenery
- Parklet name

APPLICATION FORM

7. COMMUNITY SUPPORT

Letters of support from neighbouring businesses, property owners and Town Teams will greatly benefit your application at this stage. These could include but are not limited to:

- Letter of support from the property owner;
- Letter(s) of support from the adjacent property owners (the more the better); and
- Letter of support from the local Town Team (ie, Leederville Connect, Beaufort St Network, Mt Hawthorn Hub, North Perth Local or OnWilliam).

8. ACKNOWLEDGMENT

Provide an acknowledgement that you have read these guidelines, spoken to a City Officer and you are familiar with all the requirements.

<input type="checkbox"/> I have read the Policy and I am familiar with the requirements	
Signed	
Date	

FOR MORE INFORMATION

If you would like more information about this application, please email mail@vincent.wa.gov.au or please return the completed form with payment of the Application Fee to the City of Vincent at 244 Vincent Street, Leederville WA 6007.

APPLICATION CHECKLIST:

- Application Form
- Pre-application site visit
- Pictures of the existing site
- Site plan
- Design concept explanation
- Community support documentation
- Evidence of public liability insurance for an amount of not less than \$20,000,000.00