



# Street Parklet Program Guidelines

November 2023





## **The Guidelines**

The Street Parklet Program Guidelines (Guidelines) establish the requirements regarding the application, use, design, maintenance, and compliance of street parklets. They provide direction regarding the principles of the Street Parklet Policy (Policy) and are to be read in conjunction with the Policy.

These Guidelines apply to Council Officials and to local food and drink premises seeking approval, or approved, for street parklet use on kerbside parking on roads under the care and control of Council.

Canterbury-Bankstown Council (Council) supports and encourages vibrant streetscapes and the creation of opportunities for businesses to grow and prosper. Street parklets benefit the community by contributing to the public amenity of streets.

## **1 EXPRESSIONS OF INTEREST**

Council will conduct an annual Expression of Interest (EOI) process for Street Parklet Licenses. Council reserves the right to extend the EOI and application period as required.

## **2 APPLICATIONS**

### **2.1 Application Process**

All applications are evaluated against a set of criteria and are considered on a case-by-case basis due to the diversity of streetscapes in the Canterbury-Bankstown Local Government Area (LGA) and the specific context of an applicant's location, parking restrictions, neighbouring businesses and road environment.

The Street Parklet Program application process for new applicants and those wishing to extend their current parklet, involves the following key steps:

- a) Lodgement of an application with supporting documentation
- b) Initial assessment of application via a referral process – including a referral to NSW Police
- c) Public notification for a minimum of 14 days by Council
- d) Applications that proceed to this point are referred to a formal Traffic Committee meeting for approval
- e) Minutes of the Formal Traffic Committee meeting to be reported to Council
- f) The applicant will be notified of the outcome
- g) If approved, the required fees must be paid before a Street Parklet License Agreements can be issued



- h) Installation of parklet to occur within eight (8) weeks of notification of approval.

## 2.2 Applicant Eligibility

In addition to the eligibility provisions in Section 5.3 of the Policy, to be eligible for the street parklet program, applicants must:

- Be a food and/or drink business such as a café, restaurant, bar or cultural venue in the Canterbury-Bankstown LGA that serves food and/or drinks at their premises
- Be located in a business, employment or mixed-use zone under the *Canterbury-Bankstown Local Environmental Plan 2023*
- Hold an existing development consent to operate as a food or drink premise and/or hold a liquor License
- Be proposing to install their parklet within road space that is next to or directly adjoining their business
- Have written support of your neighbouring businesses (Council will also undertake its own notification).

## 2.3 Parklet Site Suitability

Where there is an existing concentration of outdoor dining and/or street parklet approvals, a new street parklet may not be approved.

Sites considered suitable for the commercial use of street parklets:

- Have a speed limit of 50 kl/hr or less
- Are not within a clearway, disability parking space or red parking zone (No Stopping, Loading Zone, Mail Zone, Bus Zone, etc.)
- Have a straight road geometry ensuring uninterrupted sight lines for drivers
- Are more than 10 metres from an intersection
- Are more than 20 metres from a signalised intersection
- Do not obstruct Council assets, utility and emergency access panels or storm drains
- Have parallel parking or angled parking
- Are not streets controlled by NSW Roads
- Do not have any utility access panels or storm drains within the parking space
- Do not compromise access for people with a disability, emergency vehicles, construction zones (existing or approved) or entrances to private buildings or car parks.

## 2.4 Parklet Fees and Charges



Please consult Council's annually updated *Fees & Charges* document for current charges. This document is available at [www.cbcity.nsw.gov.au](http://www.cbcity.nsw.gov.au)

All costs associated with the application for a license, street parklet design, construction, maintenance and cleaning, including the removal of a street parklet are solely the responsibility of the applicant business.

## 2.5 Supporting Documentation

Whilst there are no guarantees of approval, all applicants will be required to provide the following supporting documents as a part of their application:

1. **Site Plan** – that identifies location and dimensions of the proposed parklet (this must be to scale, including dimensions, total area (m<sup>2</sup>), pedestrian footway clearances, street furniture/infrastructure, and proposed patron capacity)
2. **Cross section drawing** – shows the proposed layout and dimensions of the street parklet structure
3. **Proposed parklet structure and location** – photographs of the proposed location showing the proposed design, materials, branding (including Council's Where Interesting Happens branding) furniture including tables, chairs, outdoor heaters, umbrella's, planter boxes and any synthetic turf
4. **Traffic Guidance Scheme/Traffic Control Plan**– Prepared by accredited personnel holding a Safework for NSW "Prepare a Work Zone Traffic Management Plan" accreditation; showing how the parklets will be installed and removed in a safe manner protecting all members of the public.
5. **Insurances** – applicants to provide copies of Workers Compensation and Certificates of Currencies for Public Liability to the value of \$20 million (noting Canterbury Bankstown Council as an interested party);
6. **Plan of Management** – this document should identify day-to-day operational and management information including, but not limited to:
  - Business information
  - Trading hours
  - Areas of and access to the proposed parklet from the primary place of business
  - Staffing and responsibilities
  - Safety, security and emergencies
  - Evacuation procedure
  - Noise management
  - Cleaning, general hygiene and waste management
  - Complaint management (amenity impacts for local residents)



**Note:** A separate application to Liquor & Gaming NSW (L&G NSW) is required by applicants if they are proposing to extend the Licenced area into the proposed street parklet area. Applicants must provide evidence of approval by Liquor & Gaming NSW to Council.

## 2.6 Street Parklet Compliance

Approved Business Operators must display the Street Parklet License as well as signage which identifies the patron capacity limit and hours of operation in a prominent position on their premises and make it available to any authorised Council Officer on request.

The street parklet approval applies to the Business Operator that applied for and received the Approval. The Approval cannot be sold, reassigned or transferred.

Specific circumstances where Council may revoke, suspend, amend or not renew an Approval include but are not limited to the following:

- Conditions of the Approval are breached
- Conditions of a liquor Licence or the Liquor Act are breached
- Use of the parklet for the purposes of the Approval is causing public safety and/or public access is or will be compromised
- Use of the parklet is causing disturbance to the amenity of the neighbourhood
- Street parklet area is needed for public works, a special event or to manage an increase in pedestrian or vehicle traffic.

## 2.7 Renewal of License

Renewal of a Street Parklet License Agreement is not automatic nor guaranteed. Where a licence has been previously approved by Council and the applicant is seeking a renewal only the following information is required to be submitted:

- Any changes in the parklet structure from that previously approved
- Photos of the parklet
- Confirmation of Public Liability Insurance
- Confirmation of the Plan of Management
- Supporting letters from adjoining businesses

# 3 ***STREET PARKLET DESIGN, SET UP AND MAINTENANCE***

## 3.1 General Design Requirements

Prior to undertaking any street parklet design works, the business owner must gain



support from Council in regard to their proposed street parklet location.

The business has the option of sourcing a ready-made or “off the shelf” street parklet from a third party, or custom designing the parklet infrastructure.

Street parklets are to be designed by a qualified professional, with structures designed by a registered Engineer or Architect subject to the following conditions:

- An Engineer must certify the structural design by submitting a Certificate of Compliance
- Upon completion of construction, an Engineer must inspect and issue a Certificate of Compliance
- The street parklet must be installed by a registered builder.

Street Parklets must be designed such that they:

- Continue to appear as a street parklet even when/if furniture is packed away, to prevent vehicle access at all times
- Can be easily packed up and moved if required, to allow for any utility, maintenance or capital works
- Maintain the function and amenity of the footpath, leaving adequate unobstructed footpath width
- Where practically possible, ensure access for people with a disability in line with the *Disability Discrimination Act 1992* (Commonwealth).

### 3.2 Buffer Space

Buffer space refers to the setbacks required between the street parklet edge and the adjacent parking spaces and traffic or cycling lanes. This space is to be kept clear of physical barriers and planting.

A minimum 1 metre buffer should also be applied and/or extended where vehicles are required to manoeuvre into and out of adjacent parking bays, and a minimum 30cm buffer against the traffic lane.

### 3.3 Physical Barriers

Street parklets must provide a physical barrier around the outside edge to protect the space from vehicles and to keep patrons within the street parklet space. This may consist of fencing and planter boxes which cannot exceed a height of 1.2m to maintain visibility.

Concrete blocks (which can double as planter boxes) must be provided in accordance with the Traffic Guidance Scheme/Traffic Control Plan to reduce the risk of injury to street parklet occupants by an errant vehicle, and to minimise risk of damage to the street parklet from cars entering and exiting adjacent parking spaces.



Physical barriers must:

- Be crash-proof or hold a crash rated certification to the speed limit of the road environment in which they are proposed
- Be reflective and be visible in all-lit conditions
- Not protrude into the traffic lane
- Be at a minimum height of 900mm
- Be in accordance with the *Australian Standards AS1742.3* and Safework NSW's Traffic Guidance Scheme.

All barriers are to be covered in decal artwork with a specialised preventative graffiti coating. Applicants will be required to submit proposed artwork with the application for approval. All designs must include a prominent display of the City of Canterbury Bankstown brand logo – 'Where Interesting Happens' – to be provided by Council.

### 3.4 Platform

Where possible, street parklets with raised platforms are encouraged. Where platforms are being installed, the platform of the parklet must appear as an extension of the footpath to ensure safety and accessibility and cannot be fixed to the road surface or kerb.

The platform needs to be relatively flat to allow tables and chairs to be placed comfortably. The design must ensure that water drains effectively and does not pool in the space or on the adjacent footpath. The surface of the platform is to be non-slip, heel safe and meet relevant Australian Standards.

The gap between the platform and the kerb cannot exceed 1cm. If the gap is greater than 1cm, or the height of the platform does not match the kerb height, a platform threshold or ramp is required, and 400mm from the face of the kerb to allow for water run-off down kerb and gutters at all times.

### 3.5 Drainage

Street Parklets should not be placed over drainage grates or pits, otherwise an inspection lid must be placed where a stormwater pit is located underneath a platform.

A 20cm gap underneath the platform and next to the kerb is required, to allow water to drain freely along the channel as usual. A rubbish grate is to be placed at either end to prevent rubbish and debris from collecting under the platform. The business owner shall be responsible for collecting rubbish that builds up against the grate.



Street Parklets are not permitted in areas subject to significant flooding. Applicants are advised to check this with Council before applying.

If utility providers require access to utility and emergency access panels or storm drains, and the street parklet structure requires to be moved, this will be at the licensee's expense.

### **3.6 Materials**

The materials used for the street parklet are to be fit for purpose and suitable for public use. The materials and design should minimise visual clutter and be complimentary to the surrounding neighbourhood.

The materials selected should not deteriorate quickly, should be structurally sound, weather resistant and easy to clean. The following materials are encouraged:

- Concrete for the planter boxes. A lighter colour should be considered to contrast with the road surface.
- Metal for the planter boxes and fencing. A thicker type should be considered to avoid denting. If the street parklet is to be located in close proximity to the foreshore, a marine-grade metal must be used.
- Timber materials that must be treated and finished to ensure longevity. Hardwood timber is preferred. Plywood is not appropriate for outdoor use due to warping and buckling over time.
- Recycled plastic with UV stabilisation.

Any damage or graffiti must be dealt with as soon as practicable by the Licensee. Materials that discourage graffiti and allow it to be cleaned off easily are encouraged.

### **3.7 Planting**

Planting is strongly encouraged within the street parklet to enable greenery and improve the aesthetic of the street parklet. The plants cannot exceed a height of 1.2m from the road surface to maintain visibility.

The maintenance and watering of the plants is the responsibility of the business owner.

Plant selection should consider the local weather conditions and sunlight exposure, maintenance requirements and soil volume of the planters. It is recommended to seek advice regarding appropriate plant species.

The incorporation of artificial plants is not permitted.

### **3.8 Furniture**





Furniture must be suitable for outdoor use, easy to clean, constructed from materials that do not deteriorate quickly and do not impose tripping hazards.

Furniture can be either fixed to the street parklet or removable. Fixed furniture must be integrated into the design and removable furniture must be sturdy and wind resistant, yet portable to be stored inside the premises out of operation hours.

All movable furniture must be removed from the street parklet when the Bureau of Meteorology forecasts high wind speeds.

Umbrellas may be placed in the parklet but must not be closer than 750mm to adjacent traffic lanes when fully opened. They must be suitable for commercial outdoor settings and must not obstruct traffic signals. Umbrellas must be 2.2m high at the lowest point other than the centre pole. When raining, water run-off from large umbrellas must not fall onto the pedestrian footpath.

If patio heaters (which have a base on the footpath) are to be used, they must be located within the street parklet, to ensure that their use is covered by the licensee's public liability insurance.

### **3.9 Lighting**

Lighting can be provided within the street parklet to contribute to its aesthetic and ambiance. Lighting must point downwards so as to not distract drivers or pedestrians. Any lighting fixture or fitting must have a minimum clearance of 2.4m above the street parklet.

Lighting must comply with relevant Australian Standards and be resistant to water, dust and dirt.

Electrical cables must not extend across the footpath and lighting must not be attached to any trees or public infrastructure. The lighting cable can run from the existing building awning/verandah and is to be installed by a qualified electrician.

Solar lighting should be considered to minimise the need to connect to another power source.

### **3.10 Cleaning and Maintenance**

The street parklet operator must maintain the structure and cleanliness of the street parklet. The following criteria must be adhered to:

- Any damage that is sustained to the structure must be immediately rectified, and the street parklet must be closed and unused until all necessary repairs are made



- Street parklets should be cleaned daily and waste must be disposed of appropriately
- Public bins are not to be used for the disposal of waste
- Street parklet operators must not use disposable tableware in the parklet.