

Banyule Parklet Policy

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Policy Intent

The intent of the Parklet Policy (the Policy) is to:

- Provide parklet eligibility requirements.
- Detail the application process, assessment criteria and decision-making for parklet permit applications.
- Provide information regarding parklet permit types.
- Establish the role of Council and Traders in the design, installation, and maintenance of a parklet.

Policy Purpose

This policy provides:

- guidance on implementation of parklets for both short- and medium-term periods.
- consistent, transparent, simple, and equitable process for the application of parklet permits.
- parklets that are safe and accessible, together with consideration of neighbouring properties and amenities.
- guidance for applicants around the consultation process during lodgement of a parklet application.

This policy aims to:

- support the economic vitality of Banyule's activity centres.
- activate streets and provide a safe, comfortable, and attractive space for the community to gather and socialise.
- create an improved sense of community.
- contribute to a positive neighbourhood character.

What is a Parklet?

Parklets are re-purposed public parking bays that are used as spaces for pedestrian activity for short- and medium-term periods. Parklet set ups can contain seating, tables, plants, umbrellas, lighting, and bike parking facilities.

Benefits of a Parklet

Although parklets are maintained by hosts, they are public spaces for the community to enjoy.

- Benefits to the local community include:
 - Provision of public amenity
 - Pedestrian activation of a vehicle dominated public space.
- Benefits to the host include:
 - Heightened visibility and street presence.
 - Opportunity to extend seating and offer outdoor dining options.

Policy Scope

The Policy applies to businesses located within the City of Banyule that wish to implement a parklet in place of car parking space(s), located on a Council managed road.

Eligibility

To be eligible for a parklet, businesses must commit to the operation and maintenance, safety, access, and amenity requirements outlined in this Policy. Businesses must meet the following criteria:

- Not be located on a Department of Transport & Planning operated and managed road.
- Hold or be eligible to hold a 'Footpath Trading Permit'.
- Demonstrate they can comply with the furniture/equipment to the standards set out in any relevant guidelines.
- Must provide evidence of a Public Liability Insurance Policy for a minimum of \$20M.
- Agreed to maintain and upkeep the parklet in good order with the provision for an annual conditions audit to the satisfaction of Council.

Applications and location eligibility will be assessed on a case-by-case basis to ensure the safety of parklet users. We will use the below location criteria to determine site suitability.

Traffic Requirements

- A parklet can only be located in designated parking spaces which:
 - are on a street with a speed limit of 50km/hr or less
 - are on a street with a straight road geometry ensuring uninhabited view lines for drivers
 - are parallel or 90 degrees (angled parking may be considered)
 - are on streets which are not managed by Department of Transport and Planning (DTP)
 - are on streets which are not clearways
 - are more than 10m from an intersection
 - are more than 20m from a signalled intersection
 - are a minimum of one parking space away from an intersection on the approach side
 - does not have utility access panels or storm drains within the parking space
- Access for essential and/or emergency vehicles to abutting land, driveways and other access points along the road would need to be maintained.
- Parklet infrastructure shall not be fixed to the roadway.
- A parklet must not adversely impact public transport movements.
- A parklet must have a kerb outstand, parking space/s or appropriate hostile vehicle barrier on the approach and departure side to the parking or group of parklets.
- A Road Safety Audit and a Traffic Management Plan, which includes advance warning signs and temporary speed reductions may be required for a parklet and costs associated would need to be funded by the applicant.
- Traffic safety aspects will be assessed on a case-to-case basis.

Planning Requirements

- You may require a planning permit from Development Planning to operate/serve liquor/increase patron numbers in within a parklet in addition to approval under this policy and Liquor Control Victoria. The process may be dependent on whether a temporary or permanent liquor licence is appropriate.
- Prior to seeking approval from LCV to serve liquor from a parklet, you must have a planning permit to serve liquor in the adjoining premises and footpath.
- If no planning permit has previously been issued for serving liquor onsite, a full planning permit application (including public notice of the application) will be required to include the premises and footpath trading areas to be licenced.
- If a previous planning permit has been issued for serving liquor onsite but does not cover the serving of liquor on the footpath, an amendment to the planning permit to include the footpath redline trading area will be required.
- If the property is located within a heritage area, a permit may be required dependant on the proposed structures to be erected.

Health Requirements

- All parklets will be subject to the same smoke free dining requirements as per the Banyule Tobacco Policy.
- No food preparation shall be set up without prior consultation with Public Health Protection Unit.
- All touched surfaces including and not limited to tables and chairs should be cleaned down using a detergent and then wiped down with a disinfectant, using the manufacturer recommendations. This should be completed after each patron use.
- Ensure that there is adequate distancing between table positions and patron seating. Prevent overcrowding to reduce Health risks and public safety. It is also recommended to take measures such as social distancing.
- Considerations may be required for providing extra amenities (toilets) to cope with increase patronage.

Consultation and Engagement

Prior to formally lodging an application for a parklet, the Applicant must consult with nearby businesses within the applicable block/section of the street where the new parklet is proposed. Written support from most of the neighbouring businesses is required before the application is assessed by Council. Should any short-term parking controls require relocation as part of a parklet application, then the same consultation process will apply.

Sharing a Parklet

A parklet can be shared between two businesses at different times of the day, to be agreed on by the businesses. Each business is required to hold a permit to use the space and both businesses are responsible for the maintenance and management of the parklet.

For example, Permit Holder A (e.g., a café) can utilise the parklet between the hours of 6:00am - 4:00pm, and Permit Holder B (e.g., a restaurant) can utilise the parklet between the hours of 4:00pm -11:00pm. A signed agreement between businesses will be required to outline responsibilities and use to the satisfaction of Council.

Parklets that allow for increased number of patrons (e.g., cafés, restaurants) and are not being shared, are encouraged to consider how the space can be used by the community outside of hours of operation. This could be through lighting, seats, or other uses that contribute to a vibrant centre.

Installation Requirements

Works Within Road Reserve Consent

If you intend to conduct work on a footpath or on any Council land to assist with the installation of sockets or street furniture, you will need consent to begin.

An application for a Works Within Road Reserve Consent is to be applied for and obtained through Council's Municipal Laws & Public Assets team.

Bonds

A security deposit/bond may be requested and will be determined by what type of Council assets surround the proposed parklet location.

Council will calculate the bond amount based on a square meter to fee ratio should any damage to Council assets occur because of the parklet installation.

Council will also determine an amount should the parklet require decommission and removal because of poor maintenance, damage or absence of the permit holder where permits may become expired and not renewed.

In the case that any damage done to Council assets & infrastructure (e.g., drilling into concrete, kerbs, footpath, pit lids) it must be reinstated to the satisfaction of Council.

Fees

Yearly fee of parklets

- One parking space \$530.45
- Each additional parking space \$371

Costs associated with the road safety audit, traffic management and all associated traffic safety measures to be at applicant's expense.