

# Merri-bek Parklet Guidelines



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This document outlines the guidelines for parklets in Merri-bek.

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#### اردو

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پر کال کریں۔1917 9280 پر ای میل کریں یا ہماری اردو میں معلوماتی لائن کو communications@merri-bek.vic.gov.au

#### العربية

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communication@merri-bek.vic.gov.au بلغتك أو اتصل بخط المعلومات باللغة العربية على الرقم 1913 9280

Version	Date	Author	Changes
1.0	18/04/2024	Michael Mattner	Final version

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## Acknowledgement of Country

Merri-bek City Council acknowledges the Wurundjeri Woi-wurrung people as the Traditional Custodians of the lands and waterways in the area now known as Merri-bek. We pay respect to their Elders past, present, and emerging, as well as to all First Nations communities, who significantly contribute to the life of the area.

## **1. Introduction**

#### 1.1 What is a parklet?

A parklet is a car parking bay which is temporarily re-purposed to create spaces for people.

It may include seating, greenery, and outdoor dining.

In Merri-bek, the host (in most cases a business owner or their representative) is responsible for the design, construction, maintenance, and removal of their own parklet, subject to Council approval. The parklet is initially installed for one year, with the option to renew the permit annually.

#### Benefits to the local community include:

- Activation of vehicle dominated public space
- Improved streetscape amenity and vibrancy

#### Benefits to the host include:

- Heightened visibility and street presence
- Opportunity to extend seating and offer outdoor dining

#### **1.2 Costs involved**

There are a number of costs associated with a parklet, which are all incurred by the host, including:

- Application and permit fees (including for any removeable items)
- Design costs, including hiring a qualified registered designer and engineer (if required)
- Material and construction costs, including hiring a registered builder
- Installation costs, including organising a Traffic Management Plan
- Maintenance costs
- Removal costs
- Public Liability Insurance (coverage of \$10 million) costs

The parklet application and permit fee amounts are set in accordance with Council's published fees and charges schedule. Please note, parklet annual permit fees apply for a 12-month period from 1 September to 31 August.

For reference, the application and permit fees for 2023/24 are outlined below:

Fee name	Fee amount (incl. GST)	
Parklet application fee	\$232 (non-refundable)	
Parklet permit fee (1 car space)	\$580 (pro rata)	
Parklet permit fee (each additional car space)	\$405.50 (pro rata)	

For the most up to date application and permit fees, please refer to Council's website in the parklet section (<u>www.merri-bek.vic.gov.au/parklets</u>).

Additionally, for reference the permit fees for any removeable items in a parklet for 2023/24 are outlined below:

Fee name	Fee amount (incl. GST)
Tables	\$58 per item (pro rata)
Bench seats	\$123 per item (pro rata)
Chairs	\$23.20 per item (pro rata)
Screens	\$237 per permit (pro rata)
Planter boxes	\$58 (pro rata)
Heaters	\$58 (pro rata)
Umbrellas	\$58 (pro rata)
Other miscellaneous items	\$58 (pro rata)
New permit removeable items inspection fee (if required)	\$61.90 (non-refundable)

For the most up to date fees for removeable items, please refer to Council's website in the footpath trading permits section (<u>www.merri-bek.vic.gov.au/other-business-permits</u>).

## 2. Application Process Summary



## **3. Location Criteria**

#### 3.1 Road safety

A parklet can only be located in designated parking spaces which are:

- On a street with a speed limit of 50km/hr or less
- On a straight road ensuring uninhabited view lines for drivers
- Parallel or 90 degrees
- On streets which are not owned by VicRoads
- On streets which are not clearways
- More than 10m from an intersection (there may be exceptions for streets with one way travel)
- More than 20m from a signalised intersection
- Not designated disabled parking spaces
- Not designated loading zone spaces
- Not near utility access panels or stormwater drains within the parking space
- Not adjacent to a fire hydrant

#### 3.2 Stormwater

For locations which Council mapping identifies as having a 1% Annual Exceedance Probability (AEP) storm event in any given year, Council will undertake a detailed flooding analysis to inform whether to approve a parklet location (and subsequent design).

For further information about whether a proposed parklet location is in a 1% AEP storm event area, please refer to Council's website in the Stormwater Mapping section (<u>www.merri-bek.vic.gov.au/stormwater-property-search</u>).

#### 3.3 Occupation of adjacent car parking spaces

Written support and consent from the adjoining/adjacent owner, body corporate and/or occupier must be obtained to occupy adjacent car parking spaces. Where the adjoining site and/or building is vacant, consent is required from the managing agent. Where the adjoining building is residential, consent is required from the owner or (body corporate if applicable).

However, there are certain grounds where Council may decide to grant a parklet permit despite support and consent not being provided. This includes when only a small portion of the adjacent property would be impacted or when Council deems that consent is being unreasonably withheld due to a personal dispute or similar. These instances will be considered on a case-by-case basis.

## **4. Location Application Requirements**

If the Location Criteria is met, a host may apply for a parklet if the application includes the following:

- Support from adjoining and adjacent neighbours
- Support and consent from adjoining and adjacent neighbours if proposing to extend parklet in front of their premises. If support and consent is not received, evidence is required of how this was sought (for example an email)
- Site Plan (can be an aerial image) to provide a visual indication of the proposed parklet footprint, including the number of parking spaces to be occupied
- Public liability insurance (coverage of \$10 Million); and
- Pay non-refundable assessment fee

## 5. Design Guidelines

Before designing a parklet, it is important that the location has first been approved, based on the previously detailed location criteria and application requirements.

When it comes to the design, a parklet should meet the guidelines outlined below to minimise the need for revisions and to avoid time delays.

A qualified registered architect, landscape architect, or engineer should be involved to ensure an efficient, robust and quality design outcome is achieved.

Council has provided a standard parklet engineering template (available in Appendix 1 and online [www.merri-bek.vic.gov.au/parklets]) to simplify the design process, however if a design deviates from this template, then a Certificate of Compliance (Regulation 126) – Design from a qualified registered engineer must be submitted.

#### 5.1 Buffer space

Parklets need to have buffer spaces to protect the users and the structure from surrounding traffic.

The edge of a parklet needs to be a minimum of 1m from adjacent parking bays and 30cm from adjacent traffic/bike lanes.

When nominating the parklet footprint on a site plan (which is a required document for the design application), it should include the required minimum buffer areas, as shown in the following diagrams.



Diagram 1 - Edge buffer for parallel parking spaces



Diagram 2 - Edge buffer for 90 degree parking spaces

#### 5.2 Site plan

A site plan needs to extend to 8m either side of the parklet and should include:

- Parklet location and footprint, with dimensions (making sure the siting allows for buffer requirements - see previous diagrams)
- Host building and adjacent buildings, with addresses and entrances
- Roadway(s), with name(s)
- Footpath, with width shown
- Driveways
- Kerb and channel
- Storm water pits
- Adjacent traffic/bike lanes
- Existing parking spaces, with dimensions
- Existing street furniture
- Bicycle parking
- Streetlights
- Street/traffic signs
- Fire hydrants
- Utility access points and other services
- Street trees, tree grates and landscaped areas



#### 5.3 Platform and drainage

The platform is the main structure of a parklet, which supports all the other elements of the design.

As outlined, Council has a standard parklet engineering template (available in Appendix 1 and online [www.merri-bek.vic.gov.au/parklets]) which includes platform details. If the design of a platform deviates from this template, then a structural engineering certificate is required to be submitted to Council.

#### Easy removal

The entire platform structure (along with the rest of the parklet) should be designed in components to allow for easy reductions in size, removal and/or reinstallation. Keep this in mind, especially when choosing the materials, as it could save time and money down the track.



Diagram 4 – Parklet platform example

#### Drainage

To allow for stormwater to run along the side of the road as usual, a parklet cannot be constructed right up against the kerb and channel.

Instead, a minimum 45cm gap should be kept clear across the channel, between the kerb and the base of the parklet frame. In this gap a removable grate (or similar) should form a feature of the design (see example below).



Diagram 5 – Drainage gap: plan and section detail



#### Diagram 6 – Drainage gap: full section

Likewise, rubbish grates should be utilised at either end of the parklet (see above). All these features combine to allow easy access for regular maintenance and cleaning of built-up debris underneath parklets. This assists in maintaining the consistent flow of stormwater, which prevents ponding and stagnant water in the kerbs upstream.

#### Platform and adjacent footpath

The top of a parklet platform should sit flush with the adjacent footpath (subject to any flooding analysis recommendations).

Additionally, there should only be a maximum gap of 1cm between the top of a platform and footpath. This helps to ensure parklets remain accessible to everyone.

However, a threshold platform (with a minimum width of 90cm) can be used if the gap is larger than 1cm between the top of the platform and the kerb, or if the parklet height does not match the height of the kerb (both these scenarios are shown below).



Diagram 7 – Threshold platform examples

#### Bolting

The parklet platform cannot be bolted or attached to the street surface or the kerb.



#### Diagram 8 – Bolted parklet example

#### 5.4 External edges

The external edges refer to the areas where the parklet meets the road, adjacent parking spaces, kerb and channel, and the footpath. This includes the elements that might be on top of the platform or within the buffer space.



Diagram 9 – Parklet external edges example

#### Design all sides

Parklet design outcomes should consider all sides. This means that both the outside edges and the inside edges will need to be designed, to ensure the parklet is attractive from all viewing angles.

#### Visual connection

It is important that parklets do not block sight lines to oncoming vehicle and cycling traffic, nor to adjacent businesses. Additionally, pedestrians on either side of the street should be able to see over parklets.

Therefore, any non-transparent elements along the edge of a parklet, such as benches and planters, must be no higher than 90cm.

#### Extending the footpath

A parklet is an extension of the footpath, so the edge of a parklet along a footpath will need to be open and welcoming. One way to achieve this is to have multiple points of entry to a parklet, and to minimise elements which might discourage pedestrians from entering.

#### Safety elements

To remain safe from surrounding traffic, parklets require safety elements, including chevron signage and soft hit posts. Soft hit posts need to be installed at the edge of the parking space where the parklet is sited, between the adjacent parking bays. Reflective tape will need to be placed along the edge of the parklet platform.



Diagram 10 – Parklet safety elements examples

#### **5.5 Amenities**

It is important to consider how a parklet will be used and what fixed and removeable elements should be included to ensure it is successful.

#### Furniture

Creating comfortable places to sit is important when designing inviting parklets. Incorporating both fixed and removeable furniture is recommended.

Fixed seating and tables can be integrated into the design in a creative way to utilise the space efficiently, and to provide adequate seating areas even without removeable seats.

Removable seating and tables allow parklets to be used flexibly so that hosts can cater to a variety of requirements, including different group sizes. Removable furniture is to be uniform in style and design, and must be removed from the parklet outside of trading hours.



Diagram 11 – Parklet seating example

#### Umbrellas

The use of umbrellas within parklets is permitted if they do not extend beyond the parklet area (especially on to the road), and if they have a minimum 2.2m clearance above the footpath/parklet platform level.

Parklet umbrellas must have a robust design and be adequately secured/weighed down to prevent dislodgement. Additionally, all umbrellas must be removed at the end of the trading day, and removed or closed in times of strong winds or storms.

#### **Overhead structures**

Council does not permit overhead structures (including marquees) for parklets as they impact on amenity, visibility, and safety for the public and street users.

#### Outdoor heaters

Outdoor heaters which meet Australian Standards and are certified by the Australian Gas Association are permitted on parklets. However, they must be tested, tagged and installed so they do not pose a hazard, including not being placed within the canopy of a public tree. Additionally, outdoor heaters must be removed at the end of the trading day, and must be covered by insurance.

#### Lighting

Lighting can be provided within a parklet, however the purpose would be for atmosphere rather than function.

Parklet lighting must be stable (not flashing or coloured) and pointing downwards to avoid distraction to drivers or pedestrians.

Only low voltage solar-powered lights are permitted, to avoid electrical cords extending across footpaths. All lighting fixtures and infrastructure (e.g. solar panels) must be contained within the parklet.

Lighting must be resistant to water, dust and dirt to a rating of IP65 and illuminance must not exceed 5 lux.

#### Planting and landscaping

Integrating planting elements into the design of the parklet can help soften the streetscape, whilst also creating a buffer to the adjacent road. Parklet planting should prioritise native and drought tolerant species, as well as incorporating different textures, colours, fragrances, and forms (such as hanging baskets, planter boxes and green walls).



Diagram 12 – Parklet landscaping example

### 5.6 Accessibility

Every member of the community should feel welcome in a parklet. Therefore, the design must enable users of all abilities to approach, enter and move around.



Diagram 13 – Parklet accessibility diagram

#### Accessible entrance and path of travel

- There must be at least one entrance to the parklet that is located in an unobstructed area, which has a minimum width of 90cm (with no running slope)
- There must also be an accessible path of travel into the parklet. This path should connect to the accessible entrance, wheelchair turning and resting space

#### Wheelchair turning space and resting space

- A wheelchair turning space must allow for a wheelchair to make a 180° turn. This space should have a minimum diameter of 1.5m
- A wheelchair resting space must have an 80cm minimum width and 1.3m minimum length. The wheelchair resting space must have companion seating located nearby if there is fixed seating in the design

#### Accessible amenities

- Where amenities are being provided such as tables, counters and shelter, at least one of each must be wheelchair accessible
- A table or counter must be 70-85cm above the platform height and have an unobstructed knee clearance area of 43-44cm underneath the table or counter

#### Ramps, stairs and raised levels

- Any step must have a warning strip at the nose of the step and a handrail
- Ramps must not have a slope greater than a 5% gradient

#### **5.7 Materials**

Parklet materials should be high quality, durable, environmentally friendly, and aesthetically appealing. Therefore, when choosing materials for the parklet, consider the following checklist:

- Simple and elegant finishes
- Non-reflective
- Light coloured (for visibility and safety)
- Low emission
- Recycled or salvaged
- Sustainably sourced or locally sourced
- Non-slip (walking surfaces)
- Weather resistant (to minimise maintenance)
- Easy to disassemble
- Potential to recycle or reuse material at the end of the life of the parklet.

Additionally, parklet materials should minimise visual clutter and be complimentary to the surrounding area.

No advertising (including business signage) is allowed on parklets.



## 6. Design Application Requirements

Once the site location has been approved, a parklet design application (based on the design guidelines) may be submitted if it contains the following application requirements:

- Site plan
- Design plans, including:
  - Elevations
  - Structural details
  - Connection to footpath details
  - Fixed furnishing details
  - Removable items details
  - Accessibility details
  - Material/colour palette
- Liquor licence and red line plan (if applicable)
- Certificate of Compliance (Regulation 126) Design from a qualified registered engineer (only required if deviating from Council's standard parklet template - available in Appendix 1 and online [www.merri-bek.vic.gov.au/parklets])

Once the parklet design has been approved, the following is required before a permit can be issued:

- Traffic Management Plan
- Pay permit fees

## 7. Parklet Permits

Once a parklet design is approved, a Traffic Management Plan is reviewed, and the permit fee paid, a Parklet Permit and Temporary Road Occupation Permit is issued with standard conditions. Generally, the Parklet Permit conditions can be grouped under the following themes:

#### 7.1 Construction and installation

- To act on the Parklet Permit the host needs to submit an acceptable Traffic Management Plan to Council. Council can then issue a Temporary Road Occupation Permit, and the installation of the parklet can proceed.
- All parklet works must be carried out by a registered builder.
- Hosts must submit to Council the signoff from a registered builder for parklet constructions that follow Council's standard parklet engineering template (available in Appendix 1 and online [www.merri-bek.vic.gov.au/parklets]).
- For parklets which do not follow Council's standard parklet engineering template, upon completion of construction, a qualified registered engineer must inspect and issue a Certificate of Compliance (Reg 126) – Inspection.

#### 7.2 Ongoing compliance

- The parklet must be constructed in accordance with the approved plans, and the parklet host must maintain public liability insurance (coverage of \$10 Million) for the term of the permit.
- Council's Authorised Officers monitor the operation of parklets and ensure the conditions of the permit are met.
- Following a complaint or observation of a breach of a parklet permit, an Authorised Officer will contact the host and take appropriate enforcement action. This may be in the form of verbal instructions, a written notice (Notice to Comply), an infringement, revocation of the permit or for repeat or serious breaches the matter may be referred to court. Unapproved parklets and/or items may be impounded by an Officer and release fees payable to reclaim the parklet and/or items.
- In the case of a serious breach, an Authorised Officer may act immediately to resolve the situation. A serious breach is one where the Authorised Officer considers there is an immediate public safety risk.
- The Authorised Officer may, under the General Local Law 2018, impound unapproved parklets and/or items that pose an immediate risk to public safety. Release fees are payable to reclaim impounded parklets and/or items. The permit holder must notify Council in writing of any proposed amendments to the permit throughout the year, including changes to the parklet design or to the total amount of removeable items.

#### 7.3 Maintenance

- The parklet host is responsible for all routine maintenance duties, including:
  - Sweeping the parklet surface
  - Watering and maintaining the parklet's vegetation
  - Cleaning the parklet platform, seating and other parklet elements as required
  - Removal of any debris, grime or graffiti from the parklet
  - Removal of any debris that impede drainage flow along the kerb and channel both next to the parklet and beneath the parklet surface

- Removal of any slip / trip hazards from the parklet
- Please note that Council reserves the right to remove the parklet if the host fails to comply with the required maintenance duties.

#### 7.4 Change of ownership and temporary/permanent parklet removal

- The parklet host must notify Council of the intention to remove a parklet or for a change of ownership. Parklet permits are not transferrable so the new owner must make a new application.
- Council or another service authority may require partial access or the temporary or permanent removal of a parklet. In the event of this occurring, the host is responsible for the costs associated with disassembling and removing the parklet, along with storing and re-installing the parklet (if required). If any damage is incurred during the required access, the host is responsible for the associated costs.
- Upon permanent removal, it is the responsibility of the host to restore the streetscape to its original condition.

#### 7.5 Continued occupation of adjacent car parking spaces

- If the adjoining owner, body corporate and/or occupier no longer supports the parklet, Council will review the permit during the renewal period.
- However, there are certain grounds where Council may decide to renew a parklet permit despite support and consent being withdrawn. This includes when only a small portion of the adjacent property would be impacted or when Council deems that consent is being unreasonably withdrawn due to a personal dispute or similar. These instances will be considered on a case-by-case basis.

#### 7.6 Annual responsibility

- Parklet Permits are valid until 31 August each year and must be renewed annually.
- Renewal notices are issued to all existing parklet hosts, and they must ensure all permit renewal details are forwarded to Council, including:
  - Annual renewal fees
  - Up to date public liability insurance (coverage of \$10 Million)
  - Details of any proposed amendments to the parklet for the new year (including the amount of removeable items)
- Failure to provide all renewal documentation and fees will result in the cancellation of the permit. Council also reserves the right to reassess and amend permit conditions to ensure compliance with the Guidelines.

## Appendix 1 - Council Standard Parklet Engineering Template



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No.	Description	Date
4	Issued	18/11/19
3	Notes added	07/01/20
C	Certified issue	19/02/24

Merri-bek City Council

Parklet Program deck

Date Designed by Drawn by

Status

HOST TO NOMINATE CLADDING FOR COUNCIL APPROVAL. (HW BATTENS, MARINE PLY ETC ARE ACCEPTABLE MATERIALS)

90x35 MGP10 (TREATED PINE) HORIZONTALS

- HORIZONTAL TIES
- 90x35 MGP10 (TREATED PINE) VERTICALS @ 450 MAX CTS



#### **TYPICAL DETAILS**

/	Nov 2019 BC	2017.054B S03	
	BC		
	FOR CONSTRUCTION	Scale @ A3	1:20 Revision C

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