



Cassowary Coast
REGIONAL COUNCIL

2022

PARKLET GUIDELINES



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INTRODUCTION

Parklets are repurposed car parking bays designed to create new spaces for activation of the Cassowary Coasts streetscape. Parklets provide the opportunity to support local business while positively contributing to the broader community through, the provision of seating and greenery, and fostering the potential for an activated streetscape. The intent is for greater community activation and public amenity of car parking bays of the regions dining areas.

Applicants can apply for a Parklet as an extension of public open space adjacent to your business or as an extension of outdoor dining. The Parklet may be for the exclusive use of patrons of the host venue/business during their regular trading hours. Outside of those periods the Parklet is to be available for use by the general public.

Parklets will be issued for a minimum period of three (3) years with the possibility of extension with written approval from Council.

This document outlines the criteria, requirements and responsibilities required for businesses to apply for a Parklet.

Figure 1: Image courtesy of Kingston Shire Council.





Figure 2: Image courtesy of Kingston Shire Council.

ELIGIBILITY

Any business, property owner, not-for-profit or community organisation can apply to host a Parklet if they meet the following location criteria.

Location Criteria

Only the parking space in front of the premises occupied by the host of the Parklet may be proposed for replacement.

A Parklet can only be located in a designated parking bay(s) which are:

- located on a Council owned road that has a speed limit of 50km/h or less with street lighting;
- located in a business centre with medium to high levels of pedestrian activity; and
- located directly adjacent to/in front of the business or venue hosting the Parklet or the approved outdoor dining area (whichever is the greatest).

A Parklet can NOT be located in a parking bay which:

- is within 10 metres of an intersection;
- is within 20 metres of a signalled intersection on the approach side;
- is located within a loading zone, clearway, disabled parking bay, motorcycle parking, bus or taxi zones. (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.);
- contains utility access panels or fire hydrants;
- will impede or negatively impact upon pedestrian or vehicular movement or sightlines at road junctions and vehicle access crossovers will impeded sightlines to neighbouring businesses; and/or
- will impede emergency vehicle movements.

RESPONSIBILITIES

The applicant will design, construct and install the Parklet. The following responsibilities must be met in order for the application to be approved:

- The Parklet will include some planting and lighting, allowing use of the space at all times;
- The Parklet will be designed in such a way that it complies with Australian standards, provides safe separation between users and vehicles, incorporates universal design principles, is easily removable and will not obstruct the flow stormwater;
- The applicant shall obtain building approval for the Parklet, including a Form 15 from a structural registered professional engineer of Queensland (RPEQ);
- The applicant shall ensure that the Parklet must comply with accessibility requirements at all times.
- The applicant shall provide a traffic engineering/road safety audit by a registered professional engineer of Queensland (RPEQ) for the Parklet against all parameters provided in location criteria and implement any recommendations prior to the commencement of the use of the Parklet and to be maintained at all times;
- The applicant will be responsible for the removal of the Parklet at the end of the three-year period, if an extension to the lease agreement does not occur;
- The applicant is to hold Public Liability Insurance of \$20 million that covers the Parklet and lists Cassowary Coast Regional Council as an interested party within the policy;
- The Parklet may be for the exclusive use of patrons of the host venue/business during their regular trading hours. Outside of those periods the Parklet is to be available for use by the general public.
- The Parklet area must not extend beyond the limits of the shopfront or the approved outdoor dining area (whichever is the greatest);
- The applicant will be responsible for the day-to-day management, upkeep and maintenance of the Parklet;
- The Parklet shall be kept clean of litter, grime and graffiti;
- The applicant must keep plants in good health, including watering, weeding, and trimming when necessary;
- Umbrellas cannot overhang into the travel land of the road or adjacent parking bays when fully opened. It is the responsibility of the applicant to ensure that any umbrellas included in an application are adequately secured to ensure they do not become a safety hazard and comply with high/very high wind zone loading;
- All removable items are to be within the parklet or stored in the business/venue outside of regular business hours. Eg. Chairs, stools, umbrellas, etc.;
- The occurrence of smoking must comply with the Tobacco and Other Smoking Products Act 1998; and
- If there is a change in ownership of the business, or change of tenant of the venue the exiting host will be responsible for any legal fees associated with the changeover.

Figure 3: Image courtesy of Port Stephens Council.



LICENSED OUTDOOR DINING

Applicants must follow the Outdoor Dining regulations as outlined below:

- The occurrence of smoking must comply with the Tobacco and Other Smoking Products Act 1998;
- The Cassowary Coast Regional Council reserves the right to remove Parklets, at the owner's cost, if in the opinion of the Chief Executive Officer, the Parklet is not regularly managed in accordance with these guidelines. The Cassowary Coast Regional Council will inform the owner in writing at least twenty (20) business days before removal;
- Licensed outdoor dining requires approval from the Office of Liquor and Gaming Regulation prior to the serving of alcohol on Cassowary Coast road reserve; and
- Outdoor dining areas contained on Council land must comply with the requirements of the Cassowary Coast Regional Council Local Laws.

LEGISLATIVE REFERENCES

Council reserves the right to add any conditions it considers relevant to individual Parklet permits. Please note, that as land owners, Council may approve or refuse any Parklet application whether or not the application complies with the guidelines.

It is noted that the Local Government Act gives the authority to control and manage reserves and roads within the Cassowary Coast Region and as such, Council may cancel any Parklet permit issued at any time, and for any reason. If a Parklet permit has expired or is revoked, the area must be restored to its original condition to the satisfaction of the Chief Executive Officer of Cassowary Coast Regional Council and at no cost to Council.

FEES AND CHARGES

The applicant will be responsible for the payment any additional outdoor dining fees applicable to the Parklet area (calculated per table as per Cassowary Coast Regional Councils Fees and Charges). Council sets the fees and charges on 1 July of each year and as such, all dining permits expire on 30 June. The current fees and charges are published on Cassowary Coast Regional Council website.)

POLICIES AND RELATED DOCUMENTS

The below documents were referenced when creating this document:

- Cassowary Coast Regional Council Parklet Policy.
- Outdoor Dining Application and Guidelines.
- Cassowary Coast Regional Council Fees & Charges.
- Local Government Act.



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