

Policy P402 Alfresco Dining and Parklets

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Environmental Health Services, Development Services

Policy Objectives

To provide a framework for the establishment and management of appropriately located and designed alfresco dining and parklet areas within the City of South Perth (the City) to ensure that such areas do not adversely affect the safety of pedestrian or vehicular traffic, or the character and amenity of the surrounding area, whilst providing street activation.

Policy Scope

This Policy applies to proposals for alfresco dining and parklet activities, throughout the City.

Policy Statement

1.0 General Criteria - Alfresco Dining and Parklets

- 1.1 The permit holder or proprietor shall have current public liability insurance of not less than \$20,000,000 and provide an indemnity from the permit holder or proprietor indemnifying the City in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place.
- 1.2 Traders are responsible for maintenance of public land on and immediately surrounding where the activity is trading or operating and shall make good any damage to the satisfaction of the City.
- 1.3 All furniture and signage shall be durable, waterproof, rustproof and weather resistant, be maintained in good condition, be designed so that corners and fastenings do not create potential hazards for patrons and pedestrians and where the design requires, be securely anchored in accordance with Australian Standard AS1170.2-2011 – Structural Design Actions – Wind Actions and/or any recommendations provide by the manufacturer.
- 1.4 All furniture and signage must be removed from the public realm at the close of business each day. In any event, the City may remove any furniture, structure or signage from public land at any time to allow the undertaking of works in the road reserve.
- 1.5 Outdoor heating devices must comply with Australian Standards AS1596:2014 – The Storage and Handling of LP Gas and shall switch off automatically if overturned, to prevent injury to patrons, pedestrians and property.
- 1.4 Where the alfresco area or parklet is being used at night, clear and well distributed lighting must be provided to ensure the safety and amenity of both patrons and the public. Lighting shall not cause a nuisance by way of light spill to any nearby premises.

- 1.5 Alcohol consumption shall only be permitted where the necessary approvals have been obtained from the Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor).
- 1.6 Smoking is not permitted within alfresco dining or parklet areas. The permit holder is required to provide appropriate non-smoking signage to ensure compliance.
- 1.7 Unless otherwise specified by the City, hours of operation may be determined at the discretion of the permit holder, subject to compliance with any Liquor Licence conditions and the Environmental Protection (Noise) Regulations 1997.
- 1.8 The Trader is to ensure that the eating area, footpath, and the immediate surrounds are kept in a clean and tidy condition at all times and free of litter.
- 1.9 The Trader must ensure adequate access to the footpath is maintained to ensure the safety and amenity of both patrons and the public at all times.

2.0 Alfresco Dining

2.1 Location

Alfresco Dining shall be located:

- (i) immediately abutting the premises; or
- (ii) a minimum of 0.5m from the kerb.

A minimum 1.8m wide pedestrian clearway (running parallel to the street) is to be provided and maintained at all times.

3.0 Parklets

3.1 Location

Parklets shall be located:

- (i) in existing on-street car parking bays (not loading, taxi, or bus or accessible car parking bays) on a local distributor road with a speed limit of no greater than 50kph;
- (ii) so as to cause no damage or obstruction to a manhole, inspection pit, fire hydrant, water, gas, electrical or communications infrastructure drainage or other service within the location of a parklet; and
- (iii) at least one car parking space (or a minimum of 6.0m) from a corner and at least 0.3m from the edge of the traffic lane.

3.2 Design Criteria - Parklets

- (i) Any pergola constructed within the parklet must be freestanding, have an overhead clear height of a minimum 2.0m and not require fixtures to adjacent structure of buildings.
- (ii) The pergola must be maintained to a high standard and securely anchored in accordance with Australian Standard AS 1170.2-2022- Structural Design Actions – Wind Actions and/or any recommendations provided by the manufacturers.
- (iii) The floor of the parklet is to be flush with the abutting kerb and the parklet must be accessible from the footpath via an unobstructed section with a minimum width of 1.8m.
- (iv) The ends of the parklet must be protected by wheel stops with retro reflective material (or similar to the satisfaction of the City).

4.0 Consultation

- 4.1 Applications for Alfresco Dining do not require public consultation.
- 4.2 Applications for Parklets will be advertised to landowners and occupants within 100m of the proposed location for a minimum period of 14 days.

Legislation/ Local Law Requirements

Local Government Act 1995

City of South Perth Public Places and Local Government Property Local Law 2011

Other Relevant Policies/ Key Documents

City of South Perth Strategic Community Plan 2021-2031

City of South Perth Economic Development Plan