

<b>Legislation / local law requirements</b>	<i>Building Act 2011</i> <i>Building Regulations 2012</i> <i>Local Government Act 1995</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i> <i>Land Administration Act 1997</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Local Government Property Local Law 2021</i>
<b>Relevant delegations</b>	2.2.10 Obstruction of footpaths and thoroughfares under the <i>Local Government Act 1995</i> 2.2.30 Delegation of execution of documents under the <i>Local Government Act 1995</i>
<b>Related policies, procedures and supporting documentation</b>	Local Planning Policy 7.1.1 – Built Form Local Planning Policy 7.5.1 – Minor Nature Development Policy 2.2.4 – Verge Treatments, Planting and Beautification

## PART 1 - PRELIMINARY

### INTRODUCTION

The City of Vincent Strategic Community Plan 2018 - 2028 (SCP) sets the community vision, priorities and aspirations for the City and includes the Thriving Places priority: *“Our vibrant places and spaces are integral to our identity, economy and appeal. We want to create, enhance and promote great places and spaces for everyone to enjoy”*.

To achieve this priority, the Vibrant Public Spaces Policy (Policy) seeks to facilitate public and private investment in the public realm for the benefit of the community.

### PURPOSE

The purpose of this Policy and its Vibrant Public Spaces Policy Guidelines (Guidelines) is to provide guidance on the permissibility, requirements and management responsibilities for third party (applicant) proposals to deliver vibrant public spaces on City owned and managed land.

### POLICY OBJECTIVES

The objectives of this Policy and its Guidelines are to ensure vibrant public space proposals:

1. achieve the Vibrant Public Space Design Objectives (Design Objectives);
2. facilitate public and private investment in the public realm for the benefit of the community;
3. encourage pedestrian activity and social interaction;
4. enhance the public realm and sensitively respond to local character and context; and
5. achieve design outcomes that meet community expectations.

## POLICY OPERATION

The Policy and its Guidelines are performance-based. The performance-based approach is applied through a set of Design Objectives to enable site-specific outcomes to be achieved. This reflects that every place and streetscape is different and allows design to be tailored to the local context and specific needs and characteristics of each place.

Vibrant public space proposals need to demonstrate that they achieve the Design Objectives relevant to each proposal type, as outlined in the Guidelines.

While addressing the applicable design requirements and location requirements, as outlined in the Guidelines, is likely to achieve the Design Objectives, they are not a deemed-to-comply pathway and the proposal will be assessed in the context of the entire design solution to ensure the Design Objectives are achieved. Proposals may also satisfy the Design Objectives via alternative means or solutions.

## SCOPE

This Policy and its Guidelines apply to vibrant public space proposals on City owned and managed land including:

- **City freehold land:** land which the City owns and is listed as the registered proprietor on the Certificate of Title, such as a park or other public open space;
- **Crown reserve:** parks or public recreation areas reserved by the Minister for Lands for a purpose in the public interest and vested (pursuant to a Manager Order or other vesting document) in the City under section 46 of the Land Administration Act 1997; and
- **road reserve:** the verge, kerb, carriageway and footpath areas adjacent to road which the City has care, control and management of under section 55(2) of the Land Administration Act 1997.

This Policy does not apply to structures, developments or infrastructure proposed on City owned and managed land by a public authority. Such proposals are to be considered in accordance with the *Public Works Act 1902*, the *Main Roads Act 1930* or other enabling legislation.

## PART 2 - POLICY PROVISIONS

### DEFINITIONS

**adjacent** means that on which a vibrant public space proposal sits.

**affixed eating area furniture** means any affixed or significantly weighted bench, seat, table, planter box, umbrella, light or other item that may be reasonably characterised as eating area street furniture for the use, benefit and enjoyment of business patrons, during business operating hours, and the public, out of business operating hours.

**base** means that on which a vibrant public space proposal sits.

**carriageway** means a portion of road that is designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles.

**clear corner zone** means the area as measured at a 45° angle from the building corner left clear of any structures for the free passage of the public within the footpath and the carriageway.

**clear pedestrian zone** means the area within the footpath section of the road reserve left clear and of any structures for pedestrian travel which must be maintained at all times for the free passage of the public.

**decked platform** means a horizontal surface or structure raised above or flush with the ground level of the surrounding area. A decked platform can form the base of a parklet, eatlet or other proposal.

**eatlet** means an outdoor eating area during business operating hours and small public park out of business operating hours. Eatlets are reserved for customers of particular businesses during business operating hours and are available for anyone to use out of business operating hours. An eatlet repurposes part of the street into a dual purpose outdoor eating area and small public park through the provision of seating, shade and greenery.

**footpath** means the part of the road reserve designated and built for the movement and rest of pedestrians.

**frontage zone** means the area immediately adjacent to the abutting property between the property boundary and the end of the clear pedestrian zone.

**kerb buffer** means the 600mm minimum space maintained clear at all times between the face of the kerb and the start of either the kerbside zone or the clear pedestrian zone.

**kerbside zone** means the area between the end of the kerb buffer and the clear pedestrian zone.

**new paving** means paving that was not previously there. New paving can form the base of a parklet, eatlet or other proposal.

**outdoor eating area** means an outdoor eating facility or establishment on any part of a public place in which furniture is provided for the purpose of the supply of food or drink to the public or the consumption of food or drink by the public, but does not include such a facility or establishment on private land.

**outdoor eating area permit** means a permit granted by the City to an approved food premises and/or licensed premises allowing the footpath to be used by for the service of food and drink and/or the placement of temporary furniture during business operating hours.

**parklet** means a small public park set into the existing streetscape. Parklets are for anyone to use at all times, and are not reserved for customers of particular businesses. Parklets repurposes part of the street into a public space for people through the provision of seating, shade and greenery.

**pop-up eatlet** means a pop-up outdoor eating area during business operating hours and small public park out of business operating hours. Pop-up eatlets are reserved for customers of particular businesses during business operating hours and are available for anyone to use out of business operating hours. A pop-up eatlet repurposes part of the street into a dual purpose outdoor eating area and small public park through the provision of seating, shade and greenery during a City approved or acknowledged event.

**pop-up parklet** means a small pop-up public park set into the existing streetscape. Pop-up parklets are for anyone to use at all times, and are not reserved for customers of particular businesses. Pop-up parklets repurposes part of the street into a small public park through the provision of seating, shade and greenery during a City approved or acknowledged event.

**public authority** means a Minister of the State; an agency, authority or instrumentality of the State; or a local government; or a body, whether corporate or unincorporate, that is established or continued for a public purpose under a written law.

**public realm** means all public spaces including thoroughfare or streets, public car parks, reserves/public open space, civic squares and other areas used by and accessible to the community.

**street furniture** means any affixed or weighted bench, seat, table, litter bin, planter box, light, umbrella, bicycle rack or other item that may be reasonably characterised as street furniture for the use, benefit and enjoyment of the public on City owned and managed land.

**t-top bollard** means any flexible bollard with reflective bands in order to increase visibility. These are considered to be a temporary safety measure, used to direct vehicle and pedestrian traffic.

**verge** means that part of a thoroughfare or street between the carriageway and the land which abuts the thoroughfare, but does not include a footpath.

**vibrant public space** means an area in the public realm that supports social interaction and community engagement, and provides pedestrian amenity for everyone to enjoy.

**vibrant public space proposal** means any third party proposal which seeks to enhance City owned and managed land for the benefit of the community.

## POLICY

### 1. Permissibility and Assessment

The suitability of utilising public space to facilitate vibrant public space proposals is site specific and dependent on the individual streetscape and context relevant to each proposal.

- 1.1 Vibrant public space proposals are to achieve the applicable Design Objectives, address the applicable design and location requirements, and meet the approval requirements as prescribed in Table 1 and the Guidelines.
- 1.2 Vibrant public space proposal applicants are to meet the applicable applicant responsibilities as prescribed in the Guidelines.
- 1.3 Where a proposal type is not specified or the proposal does not meet the permissibility or requirements as prescribed in Table 1, the proposal may be considered under 'other proposal' type and assessed against the Design Objectives.
- 1.4 Proposals that do not meet the Design Objectives shall not be progressed through the approvals process and shall not be approved.

Table 1.

	DESIGN & LOCATION PERMISSIBILITY											APPROVAL REQUIREMENT												
	Existing Ground Surface	Decked Platform	New Paving	Verge	Footpath	Carriageway	Town Centre	Activity Corridor	Mixed Use	Transit Corridor	Residential	Reserve	Adjacent Businesses/ Tenants	21 Days/ Owners/ Occupiers 100m Radius Website/ Notice in Business Window	28 Days/ Owners/ Occupiers 200m Radius	Sign on Site/ Local Newspaper	Structural/ Product Certification	Building Approval	Delegated Authority/ Agreement	Development Application/ Planning Approval	Council Decision/ Licence	Application/ Design Approval	Annual Renewal	
✓ permitted or required																								
+ complete vibrant public space proposal application received for assessment																								
● permitted where located adjacent an existing approved business, excluding a home business																								
○ required where located in the Transit Corridor Built Form Area or Residential Built Form Area																								
* building permit required where a proposal exceeds 10sqm in area or 2.4m in height, as building code exemptions do not apply under Building Regulations 2012, Sch 4, Clause 2																								
^ required where the base is new paving																								
VIBRANT PUBLIC SPACE TYPE <sup>1</sup>	Base	Location	Built Form Area <sup>2</sup>		Engagement <sup>3</sup>			Approval			Fee													
STREET FURNITURE	✓		✓	✓	✓	✓	✓	•	•	✓		✓	✓											
AFFIXED EATING AREA FURNITURE	✓		✓	✓	✓	✓	✓	•	•	✓	○	○	✓	✓										✓
POP-UP PARKLET / POP-UP EATLET	✓			✓	✓	✓	✓	•	•	✓			✓	✓										
PARKLET / EATLET	✓	✓	✓	✓	✓	✓	✓	•	•	✓	✓	✓	✓	*	✓							^	✓	
OTHER PROPOSAL	+	+	+	+	+	+	+	+	+	+	+	+	✓	✓	✓	✓	✓	*	✓	✓	✓	✓	✓	✓

1 The listed vibrant public space types are not permitted in the Reserve Built Form Area. Where vibrant public space proposals are proposed in the Reserve Built Form Area, they shall not be progressed through the approvals process and shall not be approved.

2 The listed Built Form Area means the area identified by the same name in [Local Planning Policy 7.1.1 - Built Form](#). The Built Form Area permissibility relates to City owned and managed land within and adjacent to the specified Built Form Area.

3 Where proposals meet the design and location requirements prescribed in the Guidelines, engagement will be undertaken to inform the community. Where proposals are classified as 'other proposal' or do not meet the design and location requirements, engagement will be undertaken to consult with the community.

## 2. Design Objectives

Achieving good vibrant public space design requires reconciling a range of different, often competing, objectives, which vary according to the scale, context and type of vibrant public space proposed. Good vibrant public space design requires application of design-thinking in the context of addressing local challenges as well as a performance-based approach to assessment.

In the context of State Planning Policy 7.0 *Design of the Built Environment* (WAPC, 2019)(SPP 7.0) and 7.2 *Precinct Design* (WAPC, 2021)(SPP 7.2), the Design Objectives listed below have been developed to specify the role of vibrant public space design in achieving the objectives of this Policy and addressing the principles and outcomes of SPP 7.0 and SPP 7.2.

### 2.1 Context and character

Respond to and enhance the distinctive characteristics of a local area, contributing to a sense of place.

### 2.2 Landscape quality

Integrate landscape design and contribute to community wellbeing through the protection and/or enhancement of the green network.

- 2.3 **Built form and scale**  
Ensure that massing and height are appropriate and sympathetic to existing built form and the intended future character of the local area.
- 2.4 **Functionality and build quality**  
Meet the needs and expectations of the community, balancing durability, maintenance and service access requirements with aesthetic quality.
- 2.5 **Sustainability**  
Contribute positively to environmental, social and economic outcomes through passive environmental design, enhancement of the green network and promotion of active transport modes.
- 2.6 **Amenity**  
Provide comfortable spaces for the community that encourage physical activity, enable a range of uses, and are accessible to all.
- 2.7 **Legibility**  
Provide places that are legible, with good lines of sight to key locations, clear connections and easily identifiable elements to help people find their way around.
- 2.8 **Safety**  
Optimise safety and security, supporting safe behaviour and use, by maximising opportunities for passive surveillance, integrating safety requirements, and following Crime Prevention through Environmental Design (CPTED) design principles.
- 2.9 **Community**  
Respond to local community needs and the wider social context by delivering a mix of public spaces that support a diverse range of people and facilitate social interaction.
- 2.10 **Aesthetics**  
Contribute to a unique place identity, high level of amenity, and result in attractive and inviting places through scale, arrangement, articulation and material quality.

OFFICE USE ONLY	
Responsible Officer	Manager Policy & Place
Initial Council Adoption	21 June 2022
Previous Title	
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Next Review Date	June 2026



CITY OF VINCENT

# VIBRANT PUBLIC SPACES POLICY GUIDELINES

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## THRIVING PLACES

*"Our vibrant places and spaces are integral to our identity, economy and appeal. We want to create, enhance and promote great places and spaces for everyone to enjoy"*



# INTRODUCTION

## What are the Vibrant Public Space Policy Guidelines?

The Vibrant Public Spaces Policy Guidelines (Guidelines) provide supporting information to assist:

- the City to implement the Vibrant Public Spaces Policy (Policy); and
- local businesses, property owners and not-for-profit/community groups to deliver vibrant public spaces on City owned and managed land.

## What is a vibrant public space?

Vibrant public spaces are areas in the public realm that support social interaction and community engagement. They are spaces which provide pedestrian amenity and are for everyone to enjoy.

Vibrant public spaces are dog friendly, and smoke free at all times.

## What is a vibrant public space proposal?

Vibrant public space proposals are third party proposals which seek to enhance City of Vincent (City) owned and managed land for the benefit of the community.

## Why host a vibrant public space?

Vibrant public spaces add value to the surrounding area by repurposing City owned and managed land. They:

- enhance underutilised space, provide pedestrian amenity and present opportunities for community connection, greening and public art;
- encourage pedestrian movement and activity to activate the public realm;
- support businesses by fostering vibrancy and encouraging people to linger longer; and
- complement the character of the existing streetscape and local neighbourhood and provide opportunities for creative expression.

## Who can apply to host a vibrant public space?

Any business, property owner or not-for-profit/community group (applicant) can apply to host a vibrant public space.

## What are the Vibrant Public Space Design Objectives?

Every place and streetscape in the City is different and the following set of Design Objectives enable a performance-based approach to vibrant public space proposal assessment.

Vibrant public space proposals need to demonstrate that they achieve the Design Objectives relevant to each proposal type, as outlined in Sections 01-05.

### Design Objectives:

1. **Context and character** Respond to and enhance the distinctive characteristics of a local area, contributing to a sense of place.
2. **Landscape quality** Integrate landscape design and contribute to community wellbeing through the protection and/or enhancement of the green network.
3. **Built form and scale** Ensure that massing and height are appropriate and sympathetic to existing built form and the intended future character of the local area.
4. **Functionality and build quality** Meet the needs and expectations of the community, balancing durability, maintenance and service access requirements with aesthetic quality.
5. **Sustainability** Contribute positively to environmental, social and economic outcomes through passive environmental design, enhancement of the green network and promotion of active transport modes.
6. **Amenity** Provide comfortable spaces for the community that encourage physical activity, enable a range of uses, and are accessible to all.
7. **Legibility** Provide places that are legible, with good lines of sight to key locations, clear connections and easily identifiable elements to help people find their way around.
8. **Safety** Optimise safety and security, supporting safe behaviour and use, by maximising opportunities for passive surveillance, integrating safety requirements, and following Crime Prevention through Environmental Design (CPTED) design principles.
9. **Community** Respond to local community needs and the wider social context by delivering a mix of public spaces that support a diverse range of people and facilitate social interaction.
10. **Aesthetics** Contribute to a unique place identity, high level of amenity, and result in attractive and inviting places through scale, arrangement, articulation and material quality.

## Which type of vibrant public space to host?

The City accepts applicant proposals for the following vibrant public space types for assessment:

### STREET FURNITURE

Street furniture is:

- any affixed or significantly weighted bench, seat, table, litter bin, planter box, umbrella, light, bicycle rack or other item that may be reasonably characterised as street furniture



To assist in determining which type to host, refer to the flowchart on page 6.

### AFFIXED EATING AREA FURNITURE

Affixed eating area furniture is:

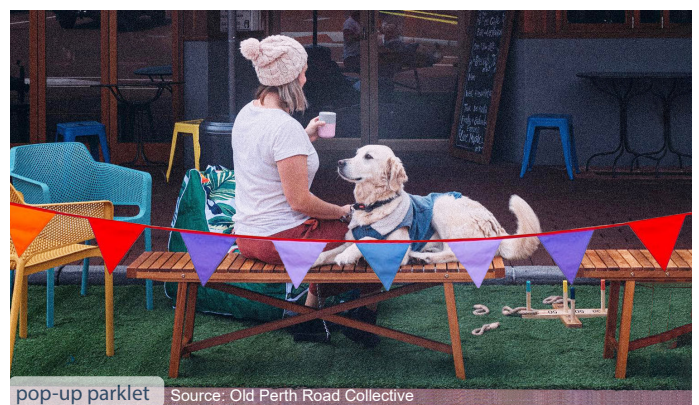
- any affixed or significantly weighted bench, seat, table, planter box, umbrella, light or other item that may be reasonably characterised as eating area furniture
- associated with an existing approved outdoor eating area for the use, benefit and enjoyment of business patrons, during business operating hours, and the public, out of business operating hours, on City owned and managed land



### POP-UP PARKLET

A pop-up parklet is:

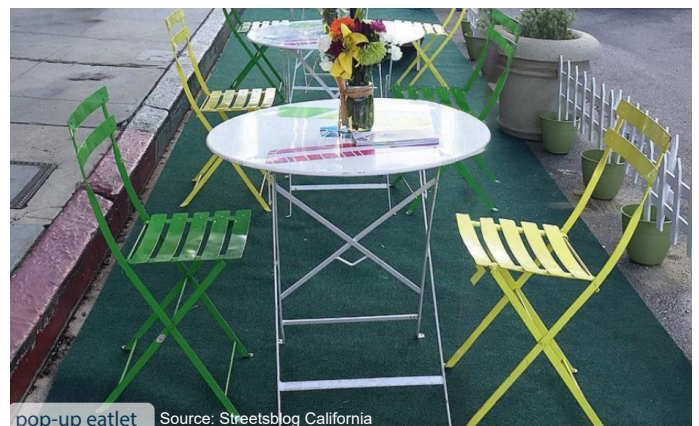
- a small pop-up public park set into the existing streetscape
- for anyone to use at all times, and are not reserved for customers of particular businesses
- the repurposing of part of the street into a small public park through the provision of seating, shade and greenery during a City approved or acknowledged event



### POP-UP EATLET

A pop-up eatlet is:

- a pop-up outdoor eating area during business operating hours and small public park out of business operating hours.
- reserved for customers of particular businesses during business operating hours and are available for anyone to use out of business operating hours
- the repurposing of part of the street into a dual purpose outdoor eating area and small public park through the provision of seating, shade and greenery during a City approved or acknowledged event



## PARKLET

A parklet is:

- a small public park set into the existing streetscape
- for anyone to use at all times, and are not reserved for customers of particular businesses
- the repurposing of part of the street into a public space for people through the provision of seating, shade and greenery



## EATLET

An eatlet is:

- an outdoor eating area during business operating hours and small public park out of business operating hours
- reserved for customers of particular businesses during business operating hours and are available for anyone to use out of business operating hours
- the repurposing of part of the street into a dual purpose outdoor eating area and small public park through the provision of seating, shade and greenery



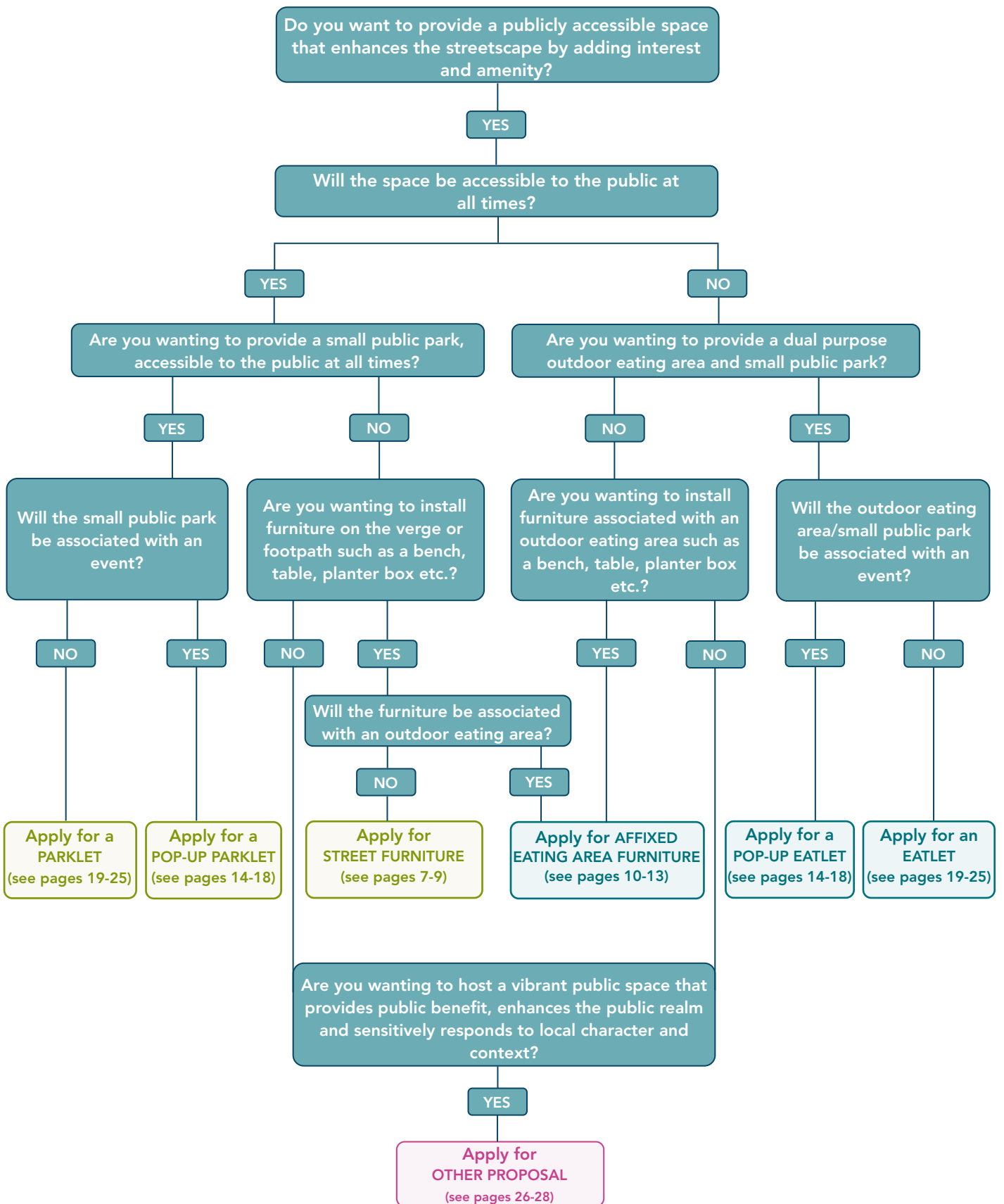
## OTHER PROPOSAL

An other proposal is:

- a vibrant public space proposal not specified in the Vibrant Public Spaces Policy which addresses the Policy Objectives and achieves the Vibrant Public Space Design Objectives



# Which type of vibrant public space to host?



# 01 STREET FURNITURE

## 1.1 Design and Location Permissibility

Street furniture proposals that meet the permissibility requirements prescribed in the table below shall be accepted for assessment:

DESIGN & LOCATION PERMISSIBILITY											
Existing Ground	Decked Platform	New Paving	Verge	Footpath	Carriageway	Town Centre	Activity Corridor	Mixed Use	Transit Corridor	Residential	Reserve
Base		Location			Built Form Area						
✓			✓	✓		✓	✓	✓	•	•	

- ✓ permitted
- permitted where located adjacent an existing approved business, excluding a home business

## 1.2 Design Objectives

### DESIGN OBJECTIVES

- O1.2.1** Respond to and enhance the distinctive characteristics of a local area, contributing to a sense of place.
- O1.2.2** Integrate landscape design and contribute to community wellbeing through the protection and/or enhancement of the green network.
- O1.2.3** Meet the needs and expectations of the community, balancing durability, maintenance and service access requirements with aesthetic quality.
- O1.2.4** Provide comfortable spaces for the community that encourage physical activity, enable a range of uses, and are accessible to all.
- O1.2.5** Provide places that are legible, with good lines of sight to key locations, clear connections and easily identifiable elements to help people find their way around.
- O1.2.6** Optimise safety and security, supporting safe behaviour and use, by maximising opportunities for passive surveillance, integrating safety requirements, and following Crime Prevention through Environmental Design (CPTED) design principles.

## 1.3 Design Requirements

### DESIGN REQUIREMENTS

- D1.3.1** Street furniture design including materials, colour and finish shall be in keeping with the surrounding streetscape and streetscape palette.
- D1.3.2** Street furniture must be of an appropriate scale in relation to other elements of the streetscape and not have the visual or apparent effect of enclosing a public space.
- D1.3.3** Each bench, seat, table, planter box and bicycle rack, shall be no more than 900mm in height and 1500mm in length, unless additional height and length can be demonstrated to meet Design Objectives **O1.2.1** and **O1.2.5**.
- D1.3.4** Umbrellas shall have a minimum clearance of 2400mm from the finished ground level to the lowest part of the umbrella canopy.
- D1.3.5** Street furniture must be made of durable materials and free of protrusions and sharp edges.
- D1.3.6** Street furniture must be affixed or weighted to the satisfaction of the City and must be able to be removed within a 24 hour period without damage to the footpath, verge or any surrounding service pits. Part or all of the street furniture may need to be temporarily or permanently removed for street improvements, utility work, service access or emergencies.
- D1.3.7** Business logos, advertising, other branding, and reserved signs are prohibited. A small unobtrusive plaque recognising proposal sponsors and material donors may be acceptable if in line with the Design Objectives.

## 1.4 Location Requirements

### LOCATION REQUIREMENTS

- L1.4.1** Street furniture must be located on an existing verge or footpath.
- L1.4.2** Street furniture shall only be permitted in or adjacent the Town Centre Built Form Area, Activity Corridor Built Form Area, Mixed Use Built Form Area or in or adjacent the Transit Corridor Built Form Area and Residential Built Form Area where located adjacent to an existing business, owned or tenanted by the applicant, excluding a home business.

**LOCATION REQUIREMENTS**

**L1.4.3** Where street furniture is proposed adjacent to a business or tenancy or encroaches in front of a business or tenancy, the location must be supported by the adjacent business or tenant.

**L1.4.4** Street furniture must be located a minimum of 600mm from any service pit or pedestrian ramp.

**L1.4.5** Street furniture shall be located to provide a minimum 2000mm width clear pedestrian zone, unless:

- the width cannot be provided due to the design of the existing streetscape;
- no alternative location for street furniture exists in close proximity to the applicant’s business or tenancy; and
- a reduced width can be demonstrated to meet Design Objectives O1.2.4 and O1.2.5.

Where a reduced clear pedestrian zone is deemed appropriate, a minimum width of no less than 1500mm must be maintained at all times.

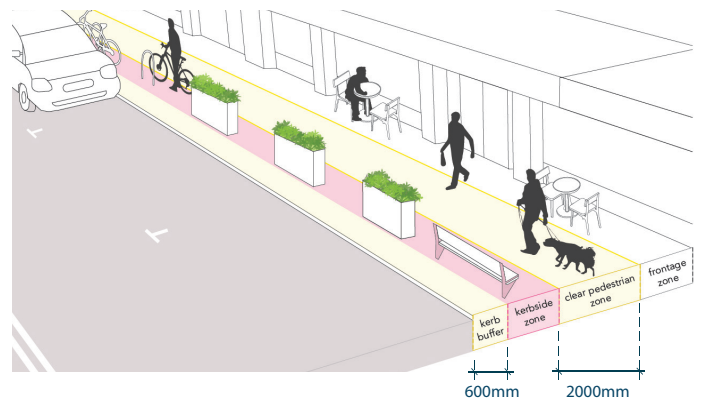
**L1.4.6** Street furniture must be located to ensure the clear pedestrian zone aligns with the clear pedestrian zone in front of neighbouring properties to provide pedestrians with a clear and uninterrupted passage along any footpath.

**L1.4.7** Street furniture must be located to provide a minimum 600mm kerb buffer between the face of the kerb and the start of the kerbside zone.

**L1.4.8** Street furniture must not impede pedestrian, cyclist or vehicle access and sightlines.

**L1.4.9** Street furniture shall be located outside of any clear corner zone as measured at a 45° angle from the corner of a corner lot building, unless the street furniture scale and location can be demonstrated to meet Design Objective O1.2.5.

**L1.4.10** Existing street furniture shall not be removed or relocated to accommodate street furniture proposals, unless the proposal can demonstrate it meets the Design Objectives O1.2.1, O1.2.4, O1.2.5 and will contribute to achieving the Policy Objectives. Where the removal or relocation of existing street furniture is supported by the City, it will be at the expense of the applicant unless otherwise scheduled through the City’s streetscape maintenance program.



**1.5 Approval Requirements**

Street furniture proposals must fulfill the approval requirements prescribed in the table below in order to obtain approval for installation.

APPROVAL REQUIREMENTS											
Adjacent Businesses/Tenants	21 Days/ Owners/ Occupiers 100m Radius	Website/ Notice in Business Window	Sign on Site/ Local Newspaper	Structural/ Product Certification	Building Approval	Delegated Authority/ Agreement	Planning Approval	Council Decision/ Licence	Application/ Design	Approval	Annual Renewal
Engagement				Approval				Fee			
✓				✓		✓					
✓ required											

**1.6 Applicant Responsibilities**

**APPLICANT RESPONSIBILITIES**

**A1.6.1** Applicant must engage with adjacent businesses and tenants to inform them of the street furniture proposal and to obtain support for the proposal where required in relation to L1.4.3.

**A1.6.2** Applicant must provide structural and/or product certification for the street furniture, as specified by the City, prior to approval.

**A1.6.3** Applicant must notify the City 24 hours prior to the installation of any approved street furniture, to confirm the installation date and time, and within 24 hours of completing installation, to confirm installation is complete.

**APPLICANT RESPONSIBILITIES**

**A1.6.4** Applicant must hold current a policy of insurance for Public Liability for an amount of not less than \$10,000,000.00 (ten million dollars). A copy of the current certificate is to be provided to the City.

**A1.6.5** Where excavation is required, the applicant is responsible for lodging and completing a Dial Before You Dig enquiry prior to the commencement of excavation.

**A1.6.6** Where excavation is required, the applicant is responsible for reinstatement to the satisfaction of the City, and the rectification of any damage to the City’s infrastructure or any other service within the road reserve as a result of any works.

**A1.6.7** Applicant must indemnify the City and its employees, agents or contractors, against all actions, suits, claims, damages, losses and expenses made against or incurred by the City arising from any activity, action or thing performed or erected or installed in accordance with the executed agreement.

**A1.6.8** Applicant must ensure street furniture is maintained in a clean, tidy, good, inoffensive and aesthetically appealing condition at all times.

**A1.6.9** Applicant must ensure any plants associated with the street furniture are maintained in a healthy, neat and tidy condition at all times.

**A1.6.10** Applicant must remove the street furniture or replace any planting, at the applicant’s expense, and make good to the satisfaction of the City at the request of the City, public utility provider or the Minister for Lands (if Crown land or Crown road reserve) within 14 days of receiving the request. Reasons for a request to remove street furniture may include but are not limited to streetscape maintenance, required service access and non-compliance with the executed agreement.

**A1.6.11** In the case of planned maintenance, the applicant is responsible for the removal, storage and reinstallation of the street furniture.

**A1.6.12** Applicant to renew vibrant public spaces agreement.

**1.7 Approval Process and Compliance**

Street furniture proposals which achieve the design objectives, and where the applicant agrees to fulfill the applicant responsibilities, shall be approved under delegation and an agreement prepared for execution prior to installation.

1	Read the Vibrant Public Spaces Policy and Guidelines
2	Plan your proposal <i>What type of vibrant public space do you want?</i>
3	Express your interest in developing a proposal <i>via mail@vincent.wa.gov.au</i>
4	Meet City representative on site <i>Determine site suitability and discuss proposal ideas</i>
5	Have a conversation with your neighbours <i>Will they support the proposal?</i>
6	Design your proposal in consultation with the City <i>Refer design and location requirements</i>
7	Submit proposal application and plans <i>Include neighbour support and certification information</i>
8	Proposal application assessment <i>Meets requirements? no (return to 6) yes (progress)</i>
9	City prepares proposal application assessment report <i>Proposal recommended for approval or refusal</i>
10	City prepares 24 month vibrant public space agreement <i>Only if proposal application approved</i>
11	Review and sign vibrant public space agreement
12	Vibrant public space agreement executed and issued <i>Requires renewal by specified date</i>
13	Notify City 24 hours prior to installing street furniture and within 24 hours of completing installation
14	Enjoy and maintain the vibrant public space!

Applicant responsibility
City of Vincent responsibility

Non-compliance with the executed vibrant public space agreement will result in:

- an onsite inspection to confirm any departures from the agreement;
- written notification to confirm the departures which require remediation; and
- removal of the street furniture, should the departures not be addressed within 21 days of the written notification being issued.



# 02 AFFIXED EATING AREA FURNITURE

## 2.1 Design and Location Permissibility

Affixed eating area furniture proposals that meet the permissibility requirements prescribed in the table below shall be accepted for assessment:

DESIGN & LOCATION PERMISSIBILITY											
Existing Ground Surface	Decked Platform	New Paving	Verge	Footpath	Carriageway	Town Centre	Activity Corridor	Mixed Use	Transit Corridor	Residential	Reserve
Base		Location			Built Form Area						
✓			✓	✓		✓	✓	✓	•	•	

- ✓ permitted
- permitted where located adjacent an existing approved business, excluding a home business

## 2.2 Design Objectives

DESIGN OBJECTIVES
<p><b>O2.2.1</b> Respond to and enhance the distinctive characteristics of a local area, contributing to a sense of place.</p> <p><b>O2.2.2</b> Integrate landscape design and contribute to community wellbeing through the protection and/or enhancement of the green network.</p> <p><b>O2.2.3</b> Meet the needs and expectations of the community, balancing durability, maintenance and service access requirements with aesthetic quality.</p> <p><b>O2.2.4</b> Provide comfortable spaces for the community that encourage physical activity, enable a range of uses, and are accessible to all.</p> <p><b>O2.2.5</b> Provide places that are legible, with good lines of sight to key locations, clear connections and easily identifiable elements to help people find their way around.</p>

DESIGN OBJECTIVES
<p><b>O2.2.6</b> Optimise safety and security, supporting safe behaviour and use, by maximising opportunities for passive surveillance, integrating safety requirements, and following Crime Prevention through Environmental Design (CPTED) design principles.</p> <p><b>O2.2.7</b> Contribute to a unique place identity, high level of amenity, and result in attractive and inviting places through scale, arrangement, articulation and material quality.</p>

## 2.3 Design Requirements

DESIGN REQUIREMENTS
<p><b>D2.3.1</b> Affixed eating area furniture design including materials, colour and finish shall have due regard for the surrounding streetscape and streetscape palette.</p> <p><b>D2.3.2</b> Affixed eating area furniture must be of an appropriate scale in relation to other elements of the streetscape and not have the visual or apparent effect of enclosing a public space.</p> <p><b>D2.3.3</b> Each bench, seat, table, planter box and the like shall be no more than 900mm in height and 1500mm in length, unless additional height and length can be demonstrated to meet Design Objectives <b>O2.2.1</b> and <b>O2.2.5</b>.</p> <p><b>D2.3.4</b> Umbrellas and the like shall have a minimum clearance of 2400mm from the finished ground level to the lowest part of the umbrella canopy.</p> <p><b>D2.3.5</b> Affixed eating area furniture must be made of durable materials and free of protrusions and sharp edges.</p> <p><b>D2.3.6</b> Affixed eating area furniture must be affixed or weighted to the satisfaction of the City and must be able to be removed within a 24 hour period without damage to the footpath, verge or any surrounding service pits. Part or all of the furniture may need to be temporarily or permanently removed for street improvements, utility work, service access or emergencies.</p> <p><b>D2.3.7</b> Business logos, advertising, other branding, and reserved signs are prohibited. A small unobtrusive plaque recognising proposal sponsors and material donors may be acceptable if in line with the Design Objectives.</p>



**DESIGN REQUIREMENTS**

**D2.3.8** Affixed eating area furniture must incorporate Vibrant Public Space signage. The signage is to be supplied by the City and installed by the applicant. The scale of the affixed eating area furniture will determine the scale of signage required. The City shall specify the scale required prior to approval.



Vibrant Public Space Sign Example

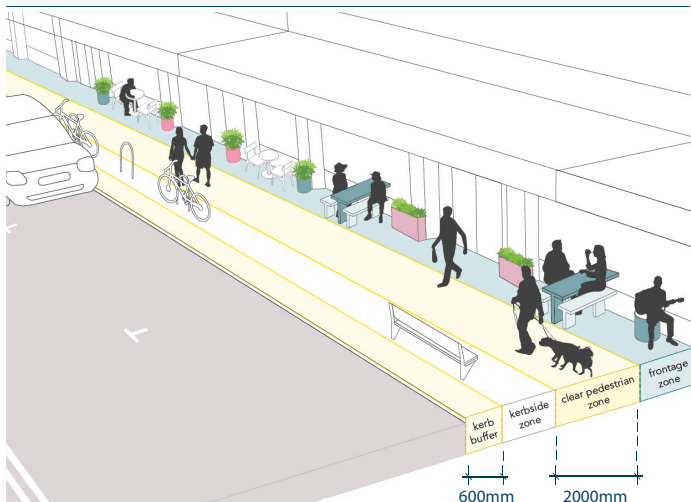
**2.4 Location Requirements**

**LOCATION REQUIREMENTS**

**L2.4.1** Affixed eating area furniture must be located on an existing verge or footpath.

**L2.4.2** Affixed eating area furniture shall only be permitted in or adjacent the Town Centre Built Form Area, Activity Corridor Built Form Area, Mixed Use Built Form Area or in or adjacent the Transit Corridor Built Form Area and Residential Built Form Area where located adjacent to an existing business, owned or tenanted by the applicant, excluding a home business.

**L2.4.3** Affixed eating area furniture shall only be located in the frontage zone or kerbside zone within an existing approved Outdoor Eating Area in conjunction with an existing approved and current Outdoor Eating Area Permit.



**LOCATION REQUIREMENTS**

**L2.4.4** Where the location of affixed eating area furniture encroaches in front of more than one business or tenancy, the location must be supported by the adjacent business or tenant, and tenancy owner.

**L2.4.5** Affixed eating area furniture must be located a minimum of 600mm from any service pit and must be setback from existing street trees and planting, to ensure the health of the tree or planting.

**L2.4.6** Affixed eating area furniture shall be located to provide a minimum 2000mm width clear pedestrian zone, unless:

- the width cannot be provided due to the design of the existing streetscape; and
- a reduced width can be demonstrated to meet Design Objectives **O2.2.4** and **O2.2.5**.

Where a reduced clear pedestrian zone is deemed appropriate, a minimum clear pedestrian zone of no less than 1500mm must be maintained at all times.

**L2.4.7** Affixed eating area furniture must be located to ensure the clear pedestrian zone aligns with the clear pedestrian zone in front of neighbouring properties to provide pedestrians with a clear and uninterrupted passage along any footpath.

**L2.4.8** Affixed eating area furniture must be located to provide a minimum 600mm kerb buffer between the face of the kerb and the start of the kerbside zone.

**L2.4.9** Affixed eating area furniture must not impede pedestrian, cyclist or vehicle access and sightlines.

**L2.4.10** Affixed eating area furniture shall be located outside of any clear corner zone as measured at a 45° angle from the corner of a corner lot building, unless the street furniture scale and location can be demonstrated to meet Design Objective **O2.2.5**.

**L2.4.11** Existing street furniture shall not be removed or relocated to accommodate new affixed eating area furniture proposals, unless the proposal can demonstrate it meets Design Objectives **O2.2.1**, **O2.2.4**, **O2.2.5** and will contribute to achieving the Policy Objectives. Where the removal or relocation of existing street furniture is supported by the City, it will be at the expense of the applicant unless otherwise scheduled through the City's streetscape maintenance program.

## 2.5 Approval Requirements

Affixed eating area furniture proposals must fulfill the approval requirements prescribed in the table below in order to obtain approval for installation.

APPROVAL REQUIREMENTS											
Adjacent Businesses/Tenants	21 Days/ Owners/ Occupiers 100m Radius	Website/ Notice in Business Window	Sign on Site/ Local Newspaper	Structural/ Product Certification	Building Approval	Delegated Authority/ Agreement	Planning Approval	Council Decision/ Licence	Application/ Design	Approval	Annual Renewal
Engagement			Approval					Fee			
✓	○	○		✓		✓			✓		

✓ required

- required where located in the Transit Corridor Built Form Area or Residential Built Form Area

## 2.6 Applicant Responsibilities

APPLICANT RESPONSIBILITIES
<p><b>A2.6.1</b> Applicant must engage with adjacent businesses and tenants to inform them of the affixed eating area furniture proposal and to obtain support for the proposal where required in relation to <a href="#">L2.4.4</a>.</p> <p><b>A2.6.2</b> Applicant must pay vibrant public space proposal approval fee, as prescribed in the City's annual fees.</p> <p><b>A2.6.3</b> Applicant must provide structural and/or product certification for the affixed eating area furniture, as specified by the City, prior to approval.</p> <p><b>A2.6.4</b> Applicant must notify the City 24 hours prior to the installation of any approved affixed eating area furniture, to confirm the installation date and time, and within 24 hours of completing installation, to confirm installation is complete.</p> <p><b>A2.6.5</b> Applicant must hold current a policy of insurance for Public Liability for an amount of not less than \$10,000,000.00 (ten million dollars). A copy of the current certificate is to be provided to the City.</p> <p><b>A2.6.6</b> Where excavation is required, the applicant is responsible for lodging and completing a Dial Before You Dig enquiry prior to the commencement of excavation.</p>

APPLICANT RESPONSIBILITIES
<p><b>A2.6.7</b> Where excavation is required the applicant is responsible for reinstatement to the satisfaction of the City, and the rectification of any damage to the City's infrastructure or any other service within the road reserve as a result of any works.</p> <p><b>A2.6.8</b> Applicant must indemnify the City and its employees, agents or contractors, against all actions, suits, claims, damages, losses and expenses made against or incurred by the City arising from any activity, action or thing performed or erected or installed in accordance with the executed agreement.</p> <p><b>A2.6.9</b> Applicant must permit dogs in the Outdoor Eating Area associated with the affixed eating area furniture.</p> <p><b>A2.6.10</b> Applicant must not permit or encourage smoking in the Outdoor Eating Area associated with the affixed eating area furniture.</p> <p><b>A2.6.11</b> Applicant must ensure affixed eating area furniture is maintained in a clean, tidy, good, inoffensive and aesthetically appealing condition at all times.</p> <p><b>A2.6.12</b> Applicant must ensure any plants associated with the affixed eating area furniture are maintained in a healthy, neat and tidy condition at all times.</p> <p><b>A2.6.13</b> Applicant must remove the affixed eating area furniture or replace any planting, at the applicant's expense, and make good to the satisfaction of the City at the request of the City, public utility provider or the Minister for Lands (if Crown land or Crown road reserve) within 14 days of receiving the request. Reasons for a request to remove affixed eating area furniture may include but are not limited to streetscape maintenance, required service access and non-compliance with the executed agreement.</p> <p><b>A2.6.14</b> In the case of planned maintenance, the applicant is responsible for the removal, storage and reinstallation of the affixed eating area furniture.</p> <p><b>A2.6.15</b> Applicant must report any changes to business or property ownership to the City and ensure that if a change in ownership occurs, the applicant will either remove the affixed eating area furniture or transfer the agreement to the new owner in consultation with the City.</p> <p><b>A2.6.16</b> Applicant to renew vibrant public spaces agreement.</p> <p><b>A2.5.17</b> Applicant must install City provided and prescribed Vibrant Public Space signs prior to installation completion.</p>

## 2.7 Approval Process and Compliance

Affixed eating area furniture proposals which achieve the design objectives, and where the applicant agrees to fulfill the applicant responsibilities, shall be approved under delegation and an agreement prepared for execution prior to installation.

1	Read the Vibrant Public Spaces Policy and Guidelines
2	Plan your proposal <i>What type of vibrant public space do you want?</i>
3	Express your interest in developing a proposal <i>via mail@vincent.wa.gov.au</i>
4	Meet City representative on site <i>Determine site suitability and discuss proposal ideas</i>
5	Have a conversation with your neighbours <i>Will they support the proposal?</i>
6	Design your proposal in consultation with the City <i>Refer design and location requirements</i>
7	Community engagement and advertising <i>If located in or adjacent the Transit Corridor or Residential Built Form Areas</i>
8	Submit proposal application and plans <i>Include neighbour support and certification information</i>
9	Proposal application assessment <i>Meets requirements? no (return to 6) yes (progress)</i>
10	City prepares proposal application assessment report <i>Proposal recommended for approval or refusal</i>
11	City prepares 24 month vibrant public space agreement <i>Only if proposal application approved</i>
12	Review and sign vibrant public space agreement <i>pay approval fee</i>
13	Vibrant public space agreement executed and issued <i>Requires renewal by specified date</i>
14	Notify City 24 hours prior to installing affixed eating area furniture and within 24 hours of completing installation
15	Enjoy and maintain the vibrant public space!

Applicant responsibility
City of Vincent responsibility

Non-compliance with the executed vibrant public space agreement will result in:

- an onsite inspection to confirm any departures from the agreement;
- written notification to confirm the departures which require remediation; and
- removal of the affixed eating area furniture, should the departures not be addressed within 21 days of the written notification being issued.



# 03 POP-UP PARKLET/ POP-UP EATLET

## 3.1 Design and Location Permissibility

Pop-up parklet and pop-up eatlet proposals that meet the permissibility requirements prescribed in the table below shall be accepted for assessment:

DESIGN & LOCATION PERMISSIBILITY											
Existing Ground Surface	Decked Platform	New Paving	Verge	Footpath	Carriageway	Town Centre	Activity Corridor	Mixed Use	Transit Corridor	Residential	Reserve
Base	Location				Built Form Area						
✓					✓	✓	✓	✓	•	•	

- ✓ permitted
- permitted where located adjacent an existing approved business, excluding a home business

## 3.2 Design Objectives

DESIGN OBJECTIVES
<p><b>03.2.1</b> Respond to and enhance the distinctive characteristics of a local area, contributing to a sense of place.</p> <p><b>03.2.2</b> Integrate landscape design and contribute to community wellbeing through the protection and/or enhancement of the green network.</p> <p><b>03.2.3</b> Contribute positively to environmental, social and economic outcomes through passive environmental design, enhancement of the green network and promotion of active transport modes.</p> <p><b>03.2.4</b> Provide comfortable spaces for the community that encourage physical activity, enable a range of uses, and are accessible to all.</p> <p><b>03.2.5</b> Provide places that are legible, with good lines of sight to key locations, clear connections and easily identifiable elements to help people find their way around.</p>

DESIGN OBJECTIVES
<p><b>03.2.6</b> Optimise safety and security, supporting safe behaviour and use, by maximising opportunities for passive surveillance, integrating safety requirements, and following Crime Prevention through Environmental Design (CPTED) design principles.</p> <p><b>03.2.7</b> Respond to local community needs and the wider social context by delivering a mix of public spaces that support a diverse range of people and facilitate social interaction.</p> <p><b>03.2.8</b> Contribute to a unique place identity, high level of amenity, and result in attractive and inviting places through scale, arrangement, articulation and material quality.</p>

## 3.3 Design Requirements

DESIGN REQUIREMENTS
<p><b>D3.3.1</b> Pop-up parklet and pop-up eatlet materials, colours and finishes shall complement and add interest to the surrounding streetscape and streetscape palette. Materials should be durable and non-reflective, and recycled or sourced locally where possible.</p> <p><b>D3.3.2</b> Benches, seats, tables, planter boxes and the like shall be no more than 900mm in height and 1500mm in length, unless additional height and length can be demonstrated to meet Design Objectives 03.2.1 and 03.2.5.</p> <p><b>D3.3.3</b> Umbrellas and the like shall have a minimum clearance of 2400mm from the finished ground level to the lowest part of the umbrella canopy.</p> <p><b>D3.3.4</b> Pop-up parklets and pop-up eatlets must be free of protrusions and sharp edges.</p> <p><b>D3.3.5</b> Pop-up parklets and pop-up eatlets must be able to be removed within a 24 hour period without damage to the footpath, verge or any surrounding service pits.</p> <p><b>D3.3.6</b> Non-slip unfixed temporary surface materials, such as astroturf, may be applied to the existing ground surface to enhance a pop-up parklet or pop-up eatlet’s aesthetic appeal.</p> <p><b>D3.3.7</b> Pop-up parklet and pop-up eatlet furniture shall be freestanding and removed at the close of business each day and/or weighted to the satisfaction of the City.</p>

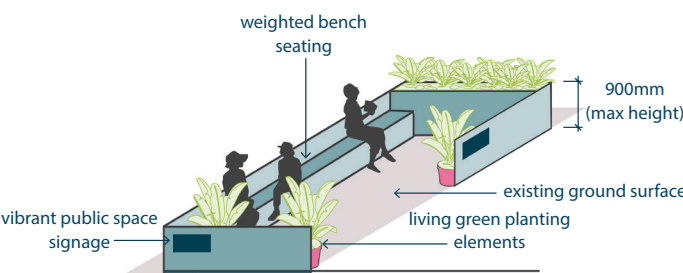
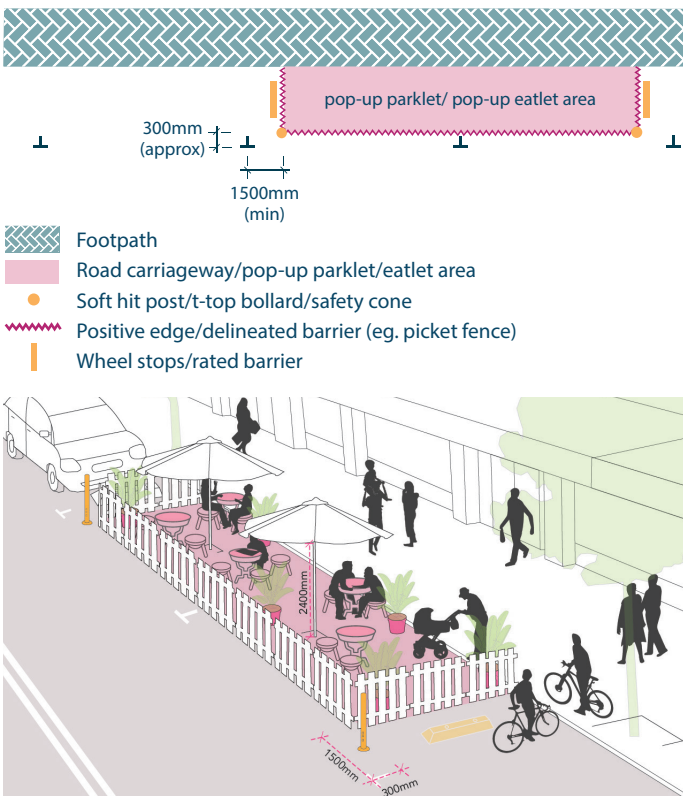
**DESIGN REQUIREMENTS**

**D3.3.8** Pop-up parklets and pop-up eatlets shall be freestanding and not require anchoring into the City’s road infrastructure. If a safety issue presents itself and anchoring is required, this will be assessed and may be approved by the City on a case by case basis.

**D3.3.9** Pop-up parklets and pop-up eatlets located where a road closure is not in place must only be accessible from the adjoining footpath via an unobstructed section which must be at least 1500mm wide.

**D3.3.10** Pop-up parklets and pop-up eatlets located where a road closure is not in place must include the following safety materials:

- soft hit posts, t-top bollards or 750mm road safety cones at each corner (roadside);
- wheel stops at each end unless the car bay is embayed or adjacent a tree well; and
- rated barriers at each end as specified by the City. These may not be required in all locations.



**DESIGN REQUIREMENTS**

**D3.3.11** Pop-up parklets and pop-up eatlets must have a positive edge along the road and parking bay facing sides to offer adequate protection for users from moving vehicular traffic. The positive edge can take the form of planters, picket fencing, or some other appropriate barrier type to be agreed with the City. The height and scale of the buffer required will vary depending on the local context. For example, on some low-traffic streets, a continuous edge may not be required. The City will determine this on a case by case basis in collaboration with the applicant.

**D3.3.12** Pop-up parklets and eatlets shall feel open and welcoming. To ensure pop-up parklets and pop-up eatlets do not have the visual or apparent effect of enclosing a public space, positive edges are not permitted above 900mm in height from the footpath finished floor level, unless additional height is required due to the slope of the site and the proposal can be demonstrated to meet Design Objective O3.2.8.

**D3.3.13** Pop-up parklets and pop-up eatlets must incorporate elements of furniture that are available for the community to use throughout the event to ensure there are places for people to sit at all times during the event.

**D3.3.14** Business logos, advertising, other branding, and reserved signs are prohibited. A small unobtrusive plaque recognising proposal sponsors and material donors may be acceptable if in line with the Design Objectives.

**D3.3.15** Pop-up parklets and pop-up eatlets must have a minimum of two Vibrant Public Space signs installed. These are to be supplied by the City and installed by the applicant prior to installation completion.

**D3.3.16** Pop-up parklets and pop-up eatlets must incorporate elements of living green planting (greenery), such as shrubs, succulents or trees. A minimum of 5% of the pop-up area shall be greenery. Artificial man-made green elements are not considered living green planting and are not acceptable alternatives.



Vibrant Public Space Sign Examples

### 3.4 Location Requirements

#### LOCATION REQUIREMENTS

**L3.4.1** Pop-up parklets and pop-up eatlets must be located on the existing ground surface of a car bay within the road carriageway.

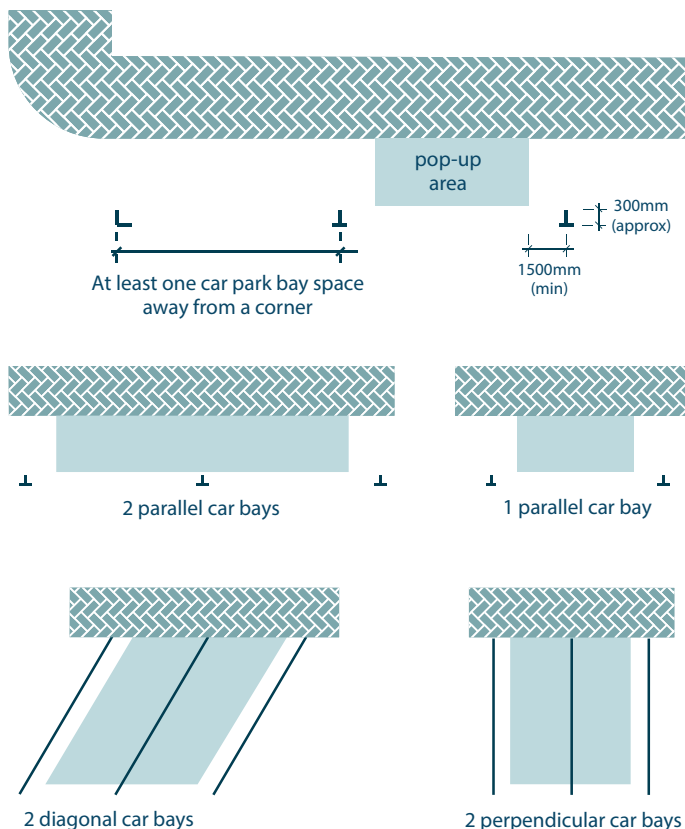
**L3.4.2** Pop-up parklets and pop-up eatlets shall only be permitted on roads where the speed limit does not exceed 40km/h, or on roads where traffic calming is in place and the speed limit does not exceed 50km/h.

**L3.4.3** Pop-up parklets and pop-up eatlets must not be located on roads classified as Primary Distributor or four lane District Distributor roads, including those with timed clearways in place.

**L3.4.4** Pop-up parklets and pop-up eatlets shall generally be setback at least one car park space from a corner, unless a reduced setback can be demonstrated to meet Design Objectives O3.2.5.

**L3.4.5** Pop-up parklets and pop-up eatlets may be permitted in on-street, parallel, angled, diagonal, perpendicular and/or paid car parking bays.

**L3.4.6** Pop-up parklets and pop-up eatlets shall have a minimum buffer distance of 1500mm between the outer edge of adjacent parking spaces and the edge of the pop-up area.



#### LOCATION REQUIREMENTS

**L3.4.7** Pop-up parklets and pop-up eatlets shall have a minimum buffer distance between the roadside outer edge of the parking space and the edge of the pop-up area (approximately 300mm). This buffer distance will be determined by the City on a case by case basis

**L3.4.8** Pop-up parklets and pop-up eatlets shall not be permitted in embayed parking spaces which service public transport, on-demand transport, service vehicles or people with disabilities.

**L3.4.9** Pop-up parklets and pop-up eatlets shall only be permitted in or adjacent the Town Centre Built Form Area, Activity Corridor Built Form Area, Mixed Use Built Form Area or in or adjacent the Transit Corridor Built Form Area and Residential Built Form Area where located adjacent to an existing business, owned or tenanted by the applicant, excluding a home business.

**L3.4.10** Pop-up parklets and pop-up eatlets shall not impede or negatively impact upon pedestrian, cyclist or vehicular movement, sightlines at road junctions or vehicle access crossovers, or impede emergency vehicle movement.

**L3.4.11** A maximum of two parking bays shall be used adjacent to the applicant's business or tenancy.

**L3.4.12** The use of more than two bays may be considered where there is support from neighbouring businesses or tenants and a joint vibrant public space proposal application is submitted by the businesses or tenants.

**L3.4.13** Weighted furniture must be located a minimum of 600mm from any service pit.

**L3.4.14** Pop-up parklets and pop-up eatlets must consider any street trees and planting and maintain a minimum 500mm setback to ensure the health of the tree or planting.

**L3.4.15** Existing street trees and planting shall not be removed or relocated to accommodate a pop-up parklet or pop-up eatlet proposal.

**L3.4.16** Existing street furniture shall not be removed or relocated to accommodate a pop-up parklet or pop-up eatlet proposal, unless the proposal can demonstrate it meets the Design Objectives O3.2.1, O3.2.4, O3.2.5 and will contribute to achieving the objectives of this Policy. Where the removal or relocation of existing street furniture is supported by the City, it will be at the expense of the applicant unless otherwise scheduled through the City's streetscape maintenance program.

### 3.5 Approval Requirements

Pop-up parklet and pop-up eatlet proposals must fulfill the approval requirements prescribed in the table below in order to obtain approval for installation.

APPROVAL REQUIREMENTS											
Adjacent Businesses/ Tenants	21 Days/ Owners/ Occupiers 100m Radius	Website/ Notice in Business Window	Sign on Site/ Local Newspaper	Structural/ Product Certification	Building Approval	Delegated Authority/ Agreement	Planning Approval	Council Decision/ Licence	Application/ Design	Approval	Annual Renewal
Engagement			Approval				Fee				
✓				✓		✓					

✓ required

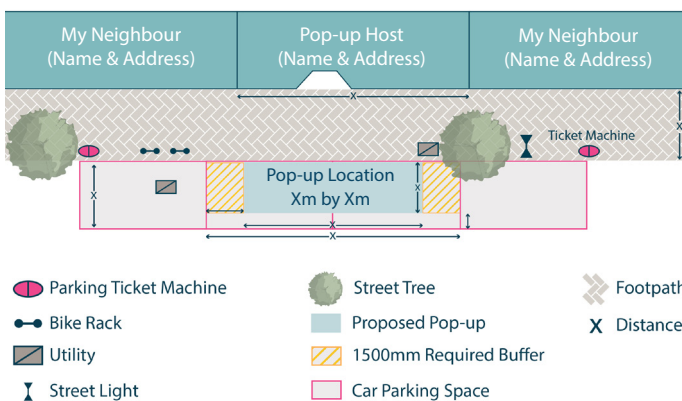
### 3.6 Applicant Responsibilities

**APPLICANT RESPONSIBILITIES**

**A3.6.1** Applicant must engage with the event organiser and adjacent businesses and tenants to inform them of the pop-up parklet or pop-up eatlet proposal and to obtain support for the proposal where required in relation to L3.4.12.

**A3.6.2** Applicant must submit complete vibrant public spaces application form inclusive of scaled site plan, proposal precedent imagery and demonstrated neighbour support.

**A3.6.3** Applicant must provide structural and/or product certification for the affixed eating area furniture, as specified by the City, prior to approval.



Site Plan Example

**APPLICANT RESPONSIBILITIES**

**A3.6.4** Applicant must hold current a policy of insurance for Public Liability for an amount of not less than \$10,000,000.00 (ten million dollars). A copy of the current certificate is to be provided to the City.

**A3.6.5** Applicant must indemnify the City and its employees, agents or contractors, against all actions, suits, claims, damages, losses and expenses made against or incurred by the City arising from any activity, action or thing performed or erected or installed in accordance with the executed agreement.

**A3.6.6** Applicant must notify the City 24 hours prior to the installation to confirm the installation date and time, and within 24 hours of completing installation, to confirm installation is complete.

**A3.6.7** Installation should not take more than six hours and will require a Traffic Management Plan, at the applicant's expense, where the installation works cannot be undertaken from the footpath.

**A3.6.8** Applicant must permit dogs in the pop-up parklet or pop-up eatlet.

**A3.6.9** Applicant must not permit or encourage smoking in the pop-up parklet or pop-up eatlet.

**A3.6.10** Applicant must ensure pop-up parklets and pop-up eatlets are maintained in a clean, tidy, good, inoffensive and aesthetically appealing condition at all times.

**A3.6.11** Applicant must ensure any plants associated with the pop-up parklet or pop-up eatlet are maintained in a healthy, neat and tidy condition at all times.

**A3.6.12** Applicant must remove the pop-up parklet or pop-up eatlet and replace any planting, at the applicant's expense, and make good to the satisfaction of the City at the request of the City or public utility provider within 14 days of receiving the request. Reasons for a request to remove a pop-up parklet or pop-up eatlet may include but are not limited to required service access and non-compliance with the executed agreement.

**A3.6.13** In the case of planned maintenance, the applicant is responsible for the removal, storage and reinstallation of the pop-up parklet or pop-up eatlet.

**A3.6.14** Applicant must report any changes to business or property ownership to the City and ensure that if a change in ownership occurs, the applicant will either remove the pop-up parklet or pop-up eatlet or transfer the agreement to the new owner in consultation with the City.

**A3.6.15** Applicant must install a minimum of two City provided Vibrant Public Space signs prior to installation completion.

### 3.7 Approval Process and Compliance

Pop-up parklet and pop-up eatlet proposals which meet the design requirements, and where the applicant agrees to fulfill the applicant responsibilities, shall be approved under delegation and an agreement prepared for execution prior to installation.

1	Read the Vibrant Public Spaces Policy and Guidelines
2	Plan your proposal <i>What type of vibrant public space do you want?</i>
3	Express your interest in developing a proposal <i>via mail@vincent.wa.gov.au</i>
4	Meet City representative on site <i>Determine site suitability and discuss proposal ideas</i>
5	Have a conversation with the event organiser and your neighbours <i>Will they support the proposal?</i>
6	Design your proposal in consultation with the City <i>Refer design and location requirements</i>
7	Submit proposal application and plans <i>Include neighbour support and certification information</i>
8	Proposal application assessment <i>Meets requirements? no (return to 6) yes (progress)</i>
9	City prepares application assessment report <i>Proposal recommended for approval or refusal</i>
10	City prepares vibrant public space agreement <i>Only if application approved</i>
11	Review and sign vibrant public space agreement
12	Vibrant public space agreement executed and issued
13	Notify the City <i>24 hours prior to installation and within 24 hours of completing installation</i>
14	Enjoy and maintain the vibrant public space!

Applicant responsibility
City of Vincent responsibility

Non-compliance with the executed vibrant public space agreement will result in:

- an onsite inspection to confirm any departures from the agreement;
- written notification to confirm the departures which require remediation; and
- removal of the pop-up parklet or pop-up eatlet, should the departures not be addressed within 21 days of the written notification being issued.





# 04 PARKLET/ EATLET

## 4.1 Design and Location Permissibility

Parklet and eatlet proposals that meet the permissibility requirements prescribed in the table below shall be accepted for assessment:

DESIGN & LOCATION PERMISSIBILITY											
Existing Ground Surface	Decked Platform	New Paving	Verge	Footpath	Carriageway	Town Centre	Activity Corridor	Mixed Use	Transit Corridor	Residential	Reserve
Base		Location			Built Form Area						
✓	✓	✓	✓	✓	✓	✓	✓	✓	•	•	

- ✓ permitted
- permitted where located adjacent an existing approved business, excluding a home business

### LIQUOR LICENSING

Parklets are public at all times and are not able to be licensed for the consumption of alcohol.

Eatlets are not public at all times and are able to be licensed during business operating hours. Liquor licences are issued by the Department of Local Government, Sporting & Cultural Industries (DLGSC) Liquor Licensing Directorate and the City may support an applicant’s application to license an eatlet subject to the following:

- the liquor licence is to be obtained by the applicant as the eatlet host;
- the liquor licence is to be in conjunction with an approved licensed premise such as an existing restaurant or small bar;
- liquor can only be served in the parklet during business operating hours; and
- the City reserves the right to restrict the hours when alcohol is permitted to be served in the eatlet.

## 4.2 Design Objectives

### DESIGN OBJECTIVES

- O4.2.1** Respond to and enhance the distinctive characteristics of a local area, contributing to a sense of place.
- O4.2.2** Integrate landscape design and contribute to community wellbeing through the protection and/or enhancement of the green network.
- O4.2.3** Ensure that massing and height are appropriate and sympathetic to existing built form and the intended future character of the local area.
- O4.2.4** Meet the needs and expectations of the community, balancing durability, maintenance and service access requirements with aesthetic quality.
- O4.2.5** Contribute positively to environmental, social and economic outcomes through passive environmental design, enhancement of the green network and promotion of active transport modes.
- O4.2.6** Provide comfortable spaces for the community that encourage physical activity, enable a range of uses, and are accessible to all.
- O4.2.7** Provide places that are legible, with good lines of sight to key locations, clear connections and easily identifiable elements to help people find their way around.
- O4.2.8** Optimise safety and security, supporting safe behaviour and use, by maximising opportunities for passive surveillance, integrating safety requirements, and following Crime Prevention through Environmental Design (CPTED) design principles.
- O4.2.9** Respond to local community needs and the wider social context by delivering a mix of public spaces that support a diverse range of people and facilitate social interaction.
- O4.2.10** Contribute to a unique place identity, high level of amenity, and result in attractive and inviting places through scale, arrangement, articulation and material quality.

## 4.3 Design Requirements

### DESIGN REQUIREMENTS

**D4.3.1** Parklet and eatlet materials, colours and finishes shall complement and add interest to the surrounding streetscape and streetscape palette. Materials should be durable and non-reflective, and recycled or sourced locally where possible.

**D4.3.2** Parklets and eatlets shall transform and enhance underutilised verge, footpath or road carriageway space. They shall be designed to suit individual site locations and shall incorporate the existing ground surface, a decked platform or new paving.

**D4.3.3** Where new paving is proposed, the City will consult with the applicant and design the paving enhancements. The paving works will then be undertaken by the applicant, at the applicant's cost and as prescribed in the City's annual fees and charges, and compliance checked by the City.

**D4.3.4** Parklets and eatlets shall not adversely effect the visual permeability of the streetscape and must allow pedestrians on either side of the street to see the opposite side of the street. To maintain visual permeability, continuous opaque walls are not permitted to exceed 900mm in height from the footpath finished floor level.

**D4.3.5** Parklets and eatlets shall feel open and welcoming. To ensure parklets and eatlets do not have the visual or apparent effect of enclosing a public space:

- walls are not permitted above 900mm in height from the footpath finished floor level, unless additional height is required due to the slope of the site and the proposal can be demonstrated to meet Design Objectives [O4.2.1](#), [O4.2.2](#), [O4.2.7](#) and [O4.2.8](#);
- alfresco blinds are not permitted;
- clear glazing is permitted to a maximum of 1200mm in height from the footpath finished floor level; and
- each side that does not directly abut the footpath is permitted to consist of a maximum of 25% visually permeable screening, for the sole purpose of supporting plant growth.

**D4.3.6** Parklets and eatlet overhead shelter structures, such as a canopy, umbrella, arbour or shade sail, shall have a minimum vertical clearance of 2400mm from the finished ground level to the lowest part of the shelter. Overhead shelter structures must not be attached to an awning or verandah. Where an overhead shelter structure is proposed to be solid, this is to be designed and constructed to ensure stormwater drains to the road carriageway and does not impact upon the pedestrian path.

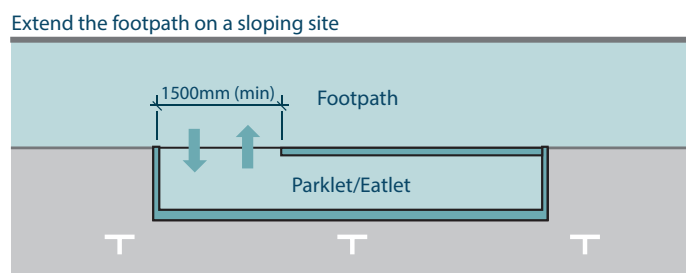
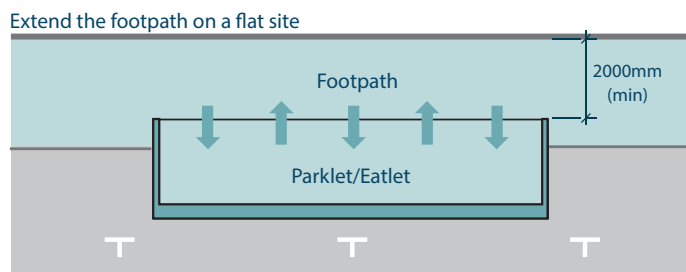
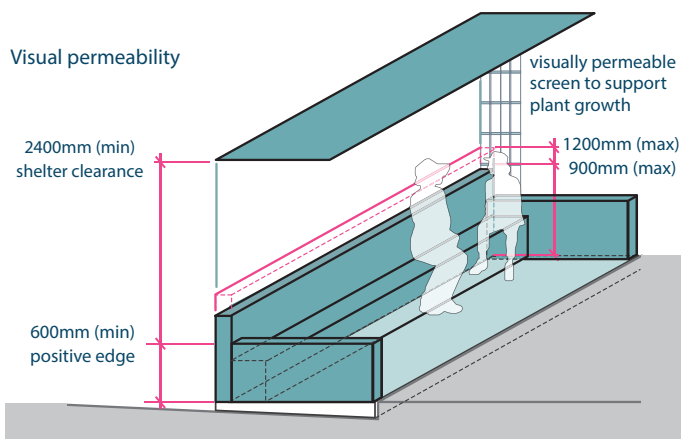
### DESIGN REQUIREMENTS

**D4.3.7** Parklets and eatlets located in the carriageway must have a positive edge along the road and parking bay facing sides to offer adequate protection for users from moving vehicular traffic. The positive edge must be a minimum of 600mm.

**D4.3.8** Parklets and eatlets should be designed as an extension of the footpath and must be open and accessible from the adjoining footpath via an unobstructed flush or ramped section. Where the parklet or eatlet is located on a sloping site, a minimum 1500mm wide unobstructed flush section must be provided.

**D4.3.9** Decked parklets and eatlets shall have a maximum gap of 10mm between the deck and the footpath. In the case of a sloping site, the applicant must work with the City to address issues of access.

**D4.3.10** Decked platforms located in the carriageway should be freestanding and not require anchoring into the City's road infrastructure. If a safety issue presents itself and anchoring is required, this will be assessed on a case by case basis and will be at the expense of the applicant and will require City approval.



**DESIGN REQUIREMENTS**

**D4.3.11** Parklets and eatlets shall not impede the flow of kerbside drainage. A 150mm x 150mm minimum clear gutter space must be provided along the entire length of the parklet or eatlet adjacent to the kerb. Openings at either end may be covered with screens to prevent debris buildup beneath in the gutter.

**D4.3.12** Decked parklets and eatlets must be modular in design to allow access for maintenance (i.e. repairs, clearing debris and streetscape maintenance).

**D4.3.13** Decked platforms and any affixed furniture to the existing ground surface or new paving must be able to be removed within a 24 hour period without damage to the footpath, verge or any surrounding service pits. Part or all of the platform or furniture may need to be temporarily or permanently removed for street improvements, utility work, service access or emergencies.

**D4.3.14** A minimum of 15% of the total parklet or eatlet area must be living green planting (greenery), such as shrubs, succulents, climbing plants or trees. The required area may be reduced to 10% where trees or climbing plants are incorporated into the design and provide shade canopy. Artificial man-made green elements are not considered living green planting and are not acceptable alternatives.

**D4.3.15** Parklets and eatlets located in the carriageway must include the following safety materials:

- soft hit posts (roadside);
- wheel stops affixed at each end unless the car bay is embayed or adjacent a tree well; and
- rated barriers at each end as specified by the City.

**D4.3.16** Parklets and eatlets must be free of protrusions and sharp edges.



**DESIGN REQUIREMENTS**

**D4.3.17** Parklets and eatlets must integrate permanent seating to ensure the space remains useable and welcoming after moveable furniture like tables and chairs are put away outside of business hours.

**D4.3.18** Solar-powered lighting elements are strongly encouraged on parklets and eatlets. Where the parklet or eatlet has a canopy, the provision of lighting is mandatory. Electric lighting may be permitted but will require an electrical connection to a building and a separate electrical certification and approval.

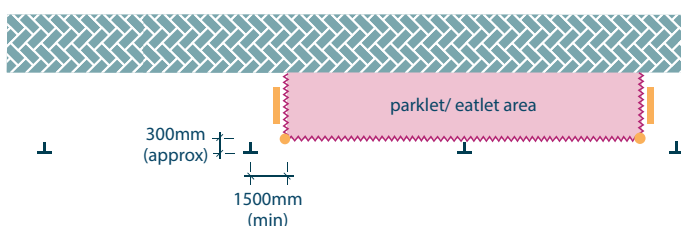
**D4.3.19** Integrated bicycle parking is strongly encouraged.

**D4.3.20** Business logos, advertising, other branding, and reserved signs are prohibited. A small unobtrusive plaque recognising proposal sponsors and material donors may be acceptable if in line with the Design Objectives.

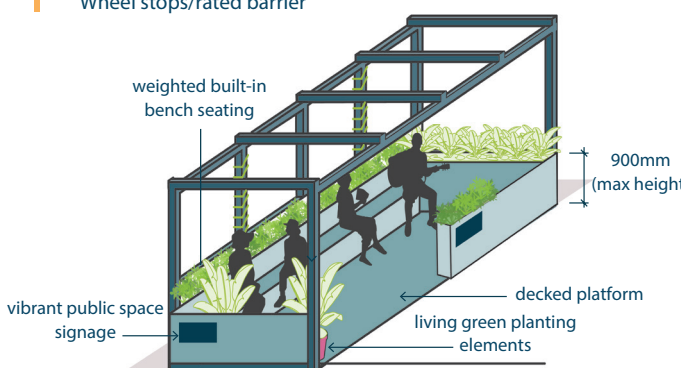
**D4.3.21** Parklets and eatlets must have a minimum of two Vibrant Public Space signs installed. These are to be supplied by the City and installed by the applicant prior to installation completion.



Vibrant Public Space Sign Example



- Footpath
- Road carriageway/parklet/eatlet area
- Soft hit post/t-top bollard/safety cone
- Positive edge/delineated barrier (eg. picket fence)
- Wheel stops/rated barrier



## 4.4 Location Requirements

### LOCATION REQUIREMENTS

**L4.4.1** Parklets and eatlets shall only be permitted in or adjacent the Town Centre Built Form Area, Activity Corridor Built Form Area, Mixed Use Built Form Area or in or adjacent the Transit Corridor Built Form Area and Residential Built Form Area where located adjacent to an existing business, owned or tenanted by the applicant, excluding a home business.

**L4.4.2** Within the prescribed Built Form Areas, parklets and eatlets shall be located in the:

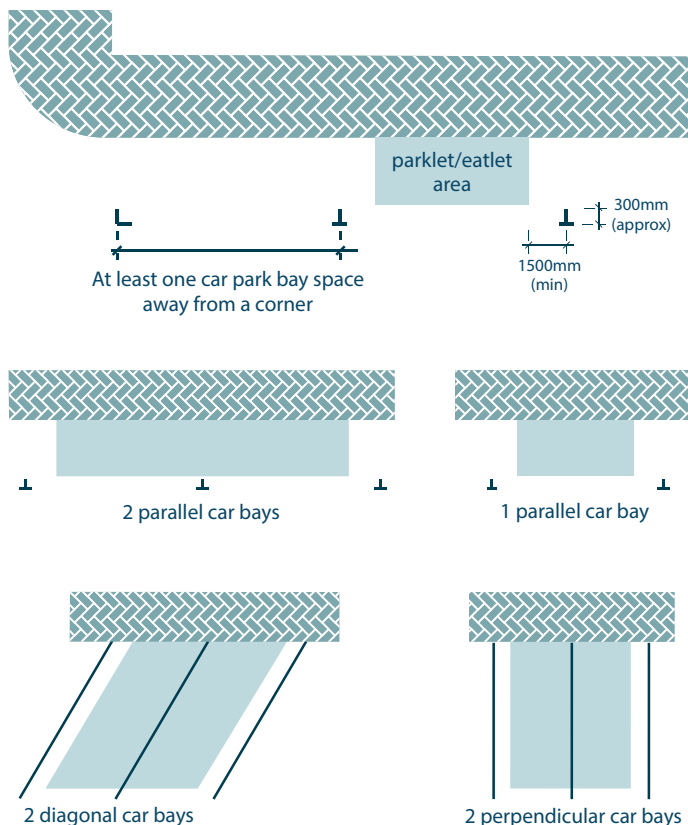
- verge;
- kerb buffer and/or kerbside zone of a footpath; or
- road carriageway.

**L4.4.3** Parklets and eatlets shall not be located in the frontage zone.

**L4.4.4** Parklets and eatlets shall be located to provide a minimum 2000mm width clear pedestrian zone, unless:

- the width cannot be provided due to the design of the existing streetscape; and
- a reduced width can be demonstrated to meet Design Objectives [O4.2.6](#), [O4.2.7](#) and [O4.2.9](#).

Where a reduced clear pedestrian zone is deemed appropriate, a minimum clear pedestrian zone of no less than 1500mm must be maintained at all times.



### LOCATION REQUIREMENTS

**L4.4.5** The parklet or eatlet must be located to ensure the clear pedestrian zone aligns with the clear pedestrian zone in front of neighbouring properties to provide pedestrians with a clear and uninterrupted passage along any footpath.

**L4.4.6** Parklets and eatlets shall be offset a minimum of 750mm at each end to ensure a minimum 1500mm gap is provided to allow pedestrians to traverse the street.

**L4.4.7** Where located in a carriageway, parklets and eatlets shall only be permitted on roads where the speed limit does not exceed 40km/h, or on roads where traffic calming is in place and the speed limit does not exceed 50km/h.

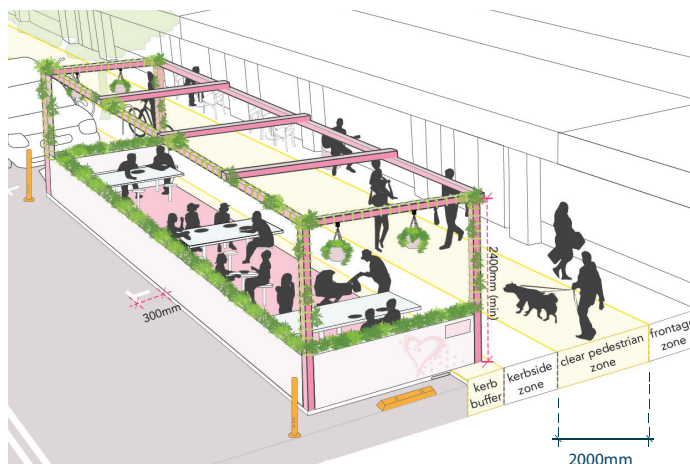
**L4.4.8** Where located in a carriageway, parklets and eatlets must not be located on roads classified as Primary Distributor or four lane District Distributor roads, including those with timed clearways in place.

**L4.4.9** Where located in a carriageway, parklets and eatlets shall generally be setback at least one car park space from a corner, unless a reduced setback can be demonstrated to meet Design Objectives [O4.2.7](#).

**L4.4.10** Where located in a carriageway, parklets and eatlets shall have a minimum buffer distance of 1500mm between the outer edge of adjacent parking spaces and the edge of the parklet/eatlet area.

**L4.4.11** Where located in a carriageway, parklets and eatlets shall have a minimum buffer distance between the roadside outer edge of the parking space and the edge of the parklet/eatlet area (approximately 300mm). This distance will be determined by the City on a case by case basis.

**L4.4.12** Parklets and eatlets may be permitted in on-street, parallel, angled, diagonal, perpendicular and/or paid car parking bays where demand in the precinct (400m walkable catchment area) does not exceed 85% occupancy.



### LOCATION REQUIREMENTS

- L4.4.13** Parklets and eatlets shall not be permitted in embayed parking spaces which service public transport, on-demand transport, service vehicles or people with disabilities.
- L4.4.14** A maximum of two parking bays shall be used adjacent to the applicant’s business or tenancy.
- L4.4.15** The use of more than two bays may be considered where there is support from neighbouring businesses or tenants and a joint application is submitted by the businesses or tenants.
- L4.4.16** Parklets and eatlets shall not impede or negatively impact upon pedestrian, cyclist or vehicular movement, sightlines at road junctions or vehicle access crossovers, or impede emergency vehicle movement.
- L4.4.17** Affixed parklet and eatlet furniture must be located a minimum of 600mm from any service pit.
- L4.4.18** Parklets and eatlets must consider any exiting street trees and planting and maintain a minimum 500mm setback to ensure the health of the tree or planting.
- L4.4.19** Existing street trees shall not be removed or relocated to accommodate a parklet or eatlet proposal.
- L4.4.20** Existing planting shall not be removed or relocated to accommodate a parklet or eatlet proposal, unless the proposal can demonstrate it meets the Design Objectives [O4.2.1](#), [O4.2.2](#), [O4.2.5](#) and will provide additional planting and/or canopy cover.
- L4.4.21** Existing street furniture shall not be removed or relocated to accommodate a parklet or eatlet proposal, unless the proposal can demonstrate it meets the Design Objectives [O4.2.1](#), [O4.2.5](#), [O4.2.6](#) and will contribute to achieving the objectives of this Policy. Where the removal or relocation of existing street furniture is supported by the City, it will be at the expense of the applicant unless otherwise scheduled through the City’s streetscape maintenance program.
- L4.4.22** Within a 400 metre catchment, no more than 20% of the public realm (of eligible areas) may be occupied by eatlets.

## 4.5 Approval Requirements

Parklet and eatlet proposals must fulfill the approval requirements prescribed in the table below in order to obtain approval for installation.

### APPROVAL REQUIREMENTS

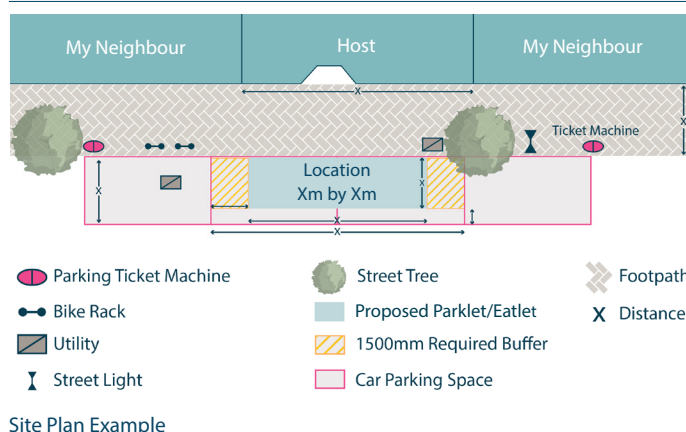
Adjacent Businesses/Tenants	21 Days/ Owners/ Occupiers 100m Radius	Website/ Notice in Business Window	Sign on Site/ Local Newspaper	Structural/ Product Certification	Building Approval	Delegated Authority/ Agreement	Planning Approval	Council Decision/ Licence	Application/ Design	Approval	Annual Renewal
✓	✓	✓		✓	*	✓			^	✓	
Engagement				Approval				Fee			

- ✓ required
- \* building permit required where a proposal exceeds 10sqm in area or 2.4m in height, as building code exemptions do not apply under Building Regulations 2012, Sch 4, Clause 2
- ^ required where the base is new paving

## 4.6 Applicant Responsibilities

### APPLICANT RESPONSIBILITIES

- A4.6.1** Applicant must engage with adjacent businesses and tenants to inform them of the parklet eatlet proposal and to obtain support for the proposal where required in relation to [L4.4.15](#).
- A4.6.2** Applicant must submit complete vibrant public space proposal application form inclusive of scaled site plan, proposal precedent imagery and demonstrated neighbour support.
- A4.6.3** Applicant must pay application/design and approval fees, as prescribed in the City’s annual fees and charges.
- A4.6.4** Applicant must provide parklet or eatlet structural certification.



### APPLICANT RESPONSIBILITIES

**A4.6.5** Applicant must hold current a policy of insurance for Public Liability for an amount of not less than \$20,000,000.00 (twenty million dollars). A copy of the current certificate is to be provided to the City.

**A4.6.6** Applicant must indemnify the City and its employees, agents or contractors, against all actions, suits, claims, damages, losses and expenses made against or incurred by the City arising from any activity, action or thing performed or erected or installed in accordance with the executed agreement.

**A4.6.7** Where excavation is required, the applicant is responsible for lodging and completing a Dial Before You Dig enquiry prior to the commencement of excavation.

**A4.6.8** Where excavation is required the applicant is responsible for reinstatement to the satisfaction of the City, and the rectification of any damage to the City's infrastructure or any other service within the road reserve as a result of any works.

**A4.6.9** Applicant must notify the City 24 hours prior to the installation to confirm the installation date and time, and within 24 hours of completing installation, to confirm installation is complete.

**A4.6.10** The parklet or eatlet shall primarily be built off site. A Traffic Management Plan, prepared at the applicant's expense, shall be required where the installation works cannot be undertaken from the footpath.

**A4.6.11** Applicant must permit dogs in the parklet or eatlet.

**A4.6.12** Applicant must not permit or encourage smoking in the parklet or eatlet.

**A4.6.13** Applicant must ensure parklets and eatlets are maintained in a clean, tidy, good, inoffensive and aesthetically appealing condition at all times.

**A4.6.14** Applicant must ensure any plants associated with the parklet or eatlet are maintained in a healthy, neat and tidy condition at all times.

**A4.6.15** Applicant must remove any decked platform, affixed street furniture and replace any planting, at the applicant's expense, and make good to the satisfaction of the City at the request of the City or public utility provider within 14 days of receiving the request. Reasons for removal requests may include but are not limited to required service access and non-compliance with the executed agreement.

**A4.6.16** In the case of planned maintenance, the applicant is responsible for the removal, storage and reinstallation of the parklet or eatlet.

### APPLICANT RESPONSIBILITIES

**A4.6.17** Applicant must report any changes to business or property ownership to the City and ensure that if a change in ownership occurs, the applicant will either remove any decked platform or affixed furniture or transfer the agreement to the new owner in consultation with the City.

**A4.6.18** Applicant must install a minimum of two City provided Vibrant Public Space signs prior to installation completion.

**A4.6.19** Applicant to renew vibrant public spaces agreement.



## 4.7 Approval Process and Compliance

Parklet and eatlet proposals which achieve the applicable the design requirements, and where the applicant agrees to fulfill the applicant responsibilities, shall be approved under delegation and an agreement prepared for execution prior to installation.

1	Read the Vibrant Public Spaces Policy and Guidelines
2	Plan your proposal <i>What type of vibrant public space do you want?</i>
3	Express your interest in developing a proposal <i>via mail@vincent.wa.gov.au</i>
4	Meet City representative on site <i>Determine site suitability and discuss proposal ideas</i>
5	Have a conversation with your neighbours <i>Will they support the proposal?</i>
6	Design your proposal in consultation with the City <i>Pay design fee if applicable</i>
7	Submit proposal application, plans and pay applicable fee <i>Include neighbour support and certification information</i>
8	Community engagement and advertising <i>Refer engagement requirements</i>
9	Finalise proposal application <i>Revise following community engagement as required</i>
10	Submit complete proposal application <i>Refer proposal application form and checklist</i>
11	Proposal application assessment <i>Meets requirements? no (return to 6) yes (progress)</i>
12	City prepares proposal application assessment report <i>Proposal recommended for approval or refusal</i>
13	City prepares vibrant public space agreement <i>Only if proposal application approved</i>
14	Review and sign vibrant public space agreement <i>Pay approval fee</i>
15	Vibrant public space agreement issued <i>Requires renewal by specified date</i>
16	City completes paving enhancement works <i>For applicable proposal applications</i>
17	Applying for a liquor licence for your eatlet? <i>Prepare and submit licence application to DLGSC</i>
18	Notify City 24 hours prior to installation and within 24 hours of completing installation
19	Enjoy and maintain the vibrant public space!



Non-compliance with the executed vibrant public space agreement will result in:

- an onsite inspection to confirm any departures from the agreement;
- written notification to confirm the departures which require remediation; and
- removal of the parklet or eatlet, should the departures not be addressed within 21 days of the written notification being issued.

Applicant responsibility  
City of Vincent responsibility

# 05 OTHER PROPOSAL

## 5.1 Design and Location Permissibility

Other proposals shall be accepted for assessment where a complete vibrant public spaces application form is submitted, inclusive of justification regarding how the proposal:

- is publicly accessible;
- provides public benefit;
- addresses Policy Objectives; and
- meets the Design Objectives 05.2.1 - 05.2.10.

## 5.2 Design Objectives

### DESIGN OBJECTIVES

- 05.2.1** Respond to and enhance the distinctive characteristics of a local area, contributing to a sense of place.
- 05.2.2** Integrate landscape design and contribute to community wellbeing through the protection and/or enhancement of the green network.
- 05.2.3** Ensure that massing and height are appropriate and sympathetic to existing built form and the intended future character of the local area.
- 05.2.4** Meet the needs and expectations of the community, balancing durability, maintenance and service access requirements with aesthetic quality.
- 05.2.5** Contribute positively to environmental, social and economic outcomes through passive environmental design, enhancement of the green network and promotion of active transport modes.
- 05.2.6** Provide comfortable spaces for the community that encourage physical activity, enable a range of uses, and are accessible to all.
- 05.2.7** Provide places that are legible, with good lines of sight to key locations, clear connections and easily identifiable elements to help people find their way around.
- 05.2.8** Optimise safety and security, supporting safe behaviour and use, by maximising opportunities for passive surveillance, integrating safety requirements, and following Crime Prevention through Environmental Design (CPTED) design principles.

### DESIGN OBJECTIVES

- 05.2.9** Respond to local community needs and the wider social context by delivering a mix of public spaces that support a diverse range of people and facilitate social interaction.
- 05.2.10** Contribute to a unique place identity, high level of amenity, and result in attractive and inviting places through scale, arrangement, articulation and material quality.

## 5.3 Approval Requirements

Other proposals must fulfill the approval requirements prescribed in the table below in order to obtain approval.

### APPROVAL REQUIREMENTS

Adjacent Businesses/Tenants	28 Days/ Owners/ Occupiers 200m Radius	Website/ Notice in Business Window	Sign on Site/ Local Newspaper	Structural/ Product Certification	Building Approval	Delegated Authority/ Agreement	Planning Approval	Council Decision/ Licence	Application/ Design	Approval	Annual Renewal
Engagement	Approval		Fee								
✓	✓		✓	✓	*		✓	✓	✓	✓	✓

- ✓ required
- building permit required where a proposal exceeds 10sqm in area or 2.4m in height, as building code exemptions do not apply under Building Regulations 2012, Sch 4, Clause 2
- \* building permit required where a proposal exceeds 10sqm in area or 2.4m in height, as building code exemptions do not apply under Building Regulations 2012, Sch 4, Clause 2



## 5.4 Applicant Responsibilities

### APPLICANT RESPONSIBILITIES

- A5.4.1** Applicant must engage with adjacent businesses and tenants to inform them of the proposal.
- A5.4.2** Applicant must complete vibrant public space proposal application form inclusive of scaled site plan, proposal precedent imagery and demonstrated neighbour support.
- A5.4.3** Applicant must pay application/design and approval fees, as prescribed in the City's annual fees and charges.
- A5.4.4** Applicant must provide structural or product certification as determined by the City.
- A5.4.5** Applicant must indemnify the City and its employees, agents or contractors, against all actions, suits, claims, damages, losses and expenses made against or incurred by the City arising from any activity, action or thing performed or erected or installed in accordance with the executed licence.
- A5.4.6** Applicant must hold current a policy of insurance for Public Liability for an amount of not less than \$20,000,000.00 (twenty million dollars). A copy of the current certificate is to be provided to the City.
- A5.4.7** Where excavation is required, the applicant is responsible for lodging and completing a Dial Before You Dig enquiry prior to the commencement of excavation.
- A5.4.8** Where excavation is required the applicant is responsible for reinstatement to the satisfaction of the City, and the rectification of any damage to the City's infrastructure or any other service within the road reserve as a result of any works.
- A5.4.9** Applicant must permit dogs in the vibrant public space.
- A5.4.10** Applicant must not permit or encourage smoking in the vibrant public space.
- A5.4.11** Applicant must ensure the vibrant public space is maintained in a clean, tidy, good, inoffensive and aesthetically appealing condition at all times.
- A5.4.12** Applicant must ensure any plants associated with the vibrant public space are maintained in a healthy, neat and tidy condition at all times.

### APPLICANT RESPONSIBILITIES

- A5.4.13** Applicant must remove any affixed structures, at the applicant's expense, and make good to the satisfaction of the City at the request of the City or public utility provider within 14 days of receiving the request. Reasons for removal requests may include but are not limited to required service access and non-compliance with the executed licence.
- A5.4.14** In the case of planned maintenance, the applicant is responsible for the removal, storage and reinstallation of the vibrant public space.
- A5.4.15** Applicant must report any changes to business or property ownership to the City and ensure that if a change in ownership occurs, the applicant will either remove any affixed structures or transfer the licence to the new owner in consultation with the City.
- A5.4.16** Applicant to renew vibrant public spaces agreement and pay renewal fee as prescribed in the City's annual fees and charges.
- A5.4.17** Applicant must install City provided and prescribed Vibrant Public Space signs prior to installation completion.

## 5.5 Approval Process

Other proposals which demonstrate they are publicly accessible and address and achieve the Policy Objectives and Design Objectives **O5.2.1 - O5.2.10** shall be progressed through the following approvals process.

1	Read the Vibrant Public Spaces Policy and Guidelines
2	Plan your proposal <i>What type of vibrant public space do you want?</i>
3	Express your interest in developing a proposal <i>via mail@vincent.wa.gov.au</i>
4	Meet City representative on site <i>Determine site suitability and discuss proposal ideas</i>
5	Have a conversation with your neighbours <i>Will they support the proposal?</i>
6	Design your proposal in consultation with the City <i>Refer design and location requirements and present to City's Design Review Panel if applicable</i>
7	Submit proposal application, plans and pay application fee <i>Include neighbour support and justification information</i>
8	Community engagement and advertising <i>Refer engagement requirements</i>
9	Finalise application <i>Revise following community engagement as required</i>
10	Submit complete application for Council consideration <i>Refer application form and checklist</i>
11	Proposal application assessment <i>Meets requirements and Policy &amp; Design Objectives? no (refusal - cease approvals process) yes (recommended for approval - progress to 12)</i>
12	City prepares Council report and licence terms <i>Draft licence terms provided to applicant</i>
13	Applicant reviews licence terms <i>Agrees to the terms in writing to progress proposal</i>
14	Vibrant public space report presented to Council <i>Recommending Council endorse proposal application, Development Application (if applicable) and licence for signing</i>
15	Council endorse recommendation? <i>no (cease approvals process) yes (progress to 16)</i>
16	Development Application signed by City <i>Development application approved under delegated authority or returned to Council for decision if required</i>
17	Licence signed by City <i>Licence executed following Development Application approval under delegated authority or by Council</i>
18	Pay applicable approval fee <i>As prescribed in the City's annual fees and charges</i>
19	Notify City 24 hours prior to installation and within 24 hours of completing installation
20	Enjoy and maintain the vibrant public space!



Source: Abacus Espresso Project: Electric Lane, Leederville



Source: Divisare Designer: 100 Architects Project: Hang Out  
Photo: Amey Kandalgaonkar - Pudong, Shanghai

Applicant responsibility  
City of Vincent responsibility