

1 PURPOSE

City of Darwin's Street Food Policy seeks to promote an active and vibrant street food program that brings a high quality street food experience to the community and maintains a high standard of participation by street food businesses.

2 SCOPE

This policy supports street food businesses and the community in line with City of Darwin Community Values of Diversity and Acceptance, Choice of Lifestyle, Environment, Sense of Community and Equality. Street food businesses within the municipality of Darwin require a permit from City of Darwin. To obtain a permit, businesses must complete an application for assessment by City of Darwin. The application, guidelines and conditions are on the City of Darwin website at <https://www.darwin.nt.gov.au/community/programs/street-food-program/applying-for-a-permit>.

3 POLICY STATEMENT

The key policy objectives are;

- To activate public places, enhance outdoor activity and promote safety
- To encourage business and stimulate the local economy
- To ensure equity of access to public spaces, and
- Maintain public amenity.

This policy is specific to Street Food Business Permits on land under the care, control and management of City of Darwin.

Sites have been developed within the municipality enabling businesses to operate in clusters. Sites where street food businesses will be permitted are:

- a) Darwin City Centre (excluding The Mall)
- b) East Point Reserve
- c) Jingili Water Gardens
- d) Nightcliff Foreshore
- e) Rapid Creek Foreshore, and
- f) Parks or suitable public spaces.

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The number of permits to be allocated will be determined at the discretion of the delegated officer under this policy ensuring the public spaces allow for multiple uses and maintain the natural amenity of the area.

Current businesses and sites can be viewed on the City of Darwin Street Food Map: <https://www.darwin.nt.gov.au/explore/out-and-about/street-food/street-food-map>

Permit fees are in the City of Darwin Fees and Charges Register and determined under the following categories and duration of operation:

1. Category of operation
 - a) Not-for-profit and charitable organisations
 - b) Commercial operations.
2. Duration of operation
 - a) Seasonal Permit – issued for repeat operations in a period of time, and
 - b) Annual Permit – issued for repeat operations over the course of 12 months.

Permits in residential areas will be restricted to hours of operation that preserve neighbourhood amenity and do not cause a general disturbance. If generators are used by a business, they must operate at a low noise level and in accordance with the Northern Territory Environment Protection Authority guidelines.

Special Events

Street Food Business Permits are not valid during the time that a street food location is permitted to a special/major event, parade or festival as acquisition of food vendors is the responsibility of event organisers in this instance.

Public Holidays

Any sites that are not included in a valid permit, when a public holiday falls will be made available for all businesses to express an interest to trade. A one off permit will be issued for these sites on a public holiday. Should there be more than one business apply for a public holiday site, permit issue will be rotated between businesses if an alternate site cannot be found.

Street Food Business Permit

All street food businesses must adhere to the conditions attached to the issued street food permit. Permits will not be issued in instances where City of Darwin determines that the granting of a permit may result in the oversupply of street food businesses within a given area and/or at a given time.

Ban of Single Use Plastic on Council Land

City of Darwin has made changes to the types of disposable items that can be used at events on council land and at Darwin's markets. These changes have been implemented to reduce the amount of single use plastic used and protect Darwin's unique environment. Find more information and a guide to making the switch from single use disposable plastic at: <https://www.darwin.nt.gov.au/community/programs/climate-change-and-environment/plastic-wise>

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4 DEFINITIONS

Street Food Vendors are considered 'food businesses' under the *Food Act 2004* (NT)

Part 2.8.(1) Meaning of *food business*

In this Act:

food business means a business, enterprise or activity (other than a business, enterprise or activity that is primary food production) that involves:

- a) handling food intended for sale; or selling food, regardless of whether the business, enterprise or activity concerned is of a commercial, charitable or community nature or whether it involves handling or selling food on one occasion only.

5 LEGISLATIVE REFERENCES

In line with the *Food Act 2004* (NT) and under this policy, Street Food Vending is defined as the use of public spaces for **preparing, handling and or dispensing food products for the purpose of sale, commercial consideration or promotion**

All food businesses in the Northern Territory must be registered and all food operators must comply with the Food Safety Standards of the *Food Act 2004* (NT), the controlling legislation for all food businesses.

The *Local Government Act 2019* (NT) provides the legal basis for City of Darwin to have a role in promoting the social, economic, environmental, and cultural wellbeing of its community and for community participation in such activities.

The following City of Darwin policies are also applicable to Street Food

operations: Policy No. 011 Outdoor Dining
Policy No. 042 Outdoor Advertising Signs Code
City of Darwin Fees and Charges Register

All of the above documents can be found on the City of Darwin website under publications and forms <https://www.darwin.nt.gov.au/council/about-council/publications-and-forms>

6 PROCEDURES / RELATED DOCUMENTS

Street Food Business Permit Application Guide

7 RESPONSIBILITY / APPLICATION

The General Manager Innovation, Growth and Development Services is responsible for ensuring that this policy is understood and adhered to.

This policy provides the power to relevant delegated council staff to:

- Assess and approve street food business applications.

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