

# Commercial outdoor activities policy

## Policy No. 6250.100.E.R

### 1 Purpose

The purpose of this policy is to provide a framework supporting a range of commercial activities on City of Darwin land, while maintaining public amenity and access.

### 2 Scope

This policy applies to all public land within the Darwin municipality managed by City of Darwin.

This policy addresses commercial activities such as:

- Outdoor dining and licensed premises,
- Retail trading,
- Parklets,
- Street food,
- Busking and street performing
- Conducting a business in a public place,
- Tour booths & bus bay lease (Bennett Park),
- Outdoor classes, and
- Other commercial opportunities

This policy does not apply to:

- any land or road reserves that are under the ownership, administration or management of the Federal Government, Northern Territory Government, private owners, or the Darwin Waterfront Precinct
- City of Darwin managed land where a property agreement authorises the use of the land
- events where an alternative permit process exists.

### 3 Policy statement

This policy sets the objectives for the commercial use of City of Darwin's land.

The key policy objectives are to:

- activate public places, enhance outdoor activity and promote safety
- encourage business and stimulate the local economy
- ensure the design addresses the equity of access to, and through, public spaces
- maintain and enhance public amenity
- create versatility in the use of public spaces
- create cool and green public places through design elements and sustainable infrastructure.

City of Darwin issues authorisations for the following activities in line with the City of Darwin By-Laws 2023 and City of Darwin's strategic directions:

| Activity                                   | Description  |
|--|--|
| Outdoor dining                             | Extension of a hospitality business which serves substantial meals on City of Darwin land.   |
| Liquor licensed premises                   | Licensed premises that do not serve substantial meals on City of Darwin land.  |
| Tour booths & bus bay lease (Bennett Park) | Tour vehicle parking for multiple passenger pickups, drop-offs, with an ancillary stall to sell tours  |
| Parklets                                   | Extension of a premises into an on-street car parking bay for use by patrons and the public.   |
| Street food vendor                         | Registered food business operating from a mobile platform such as a cart, van or other vehicle.  |
| Outdoor Fitness                            | Commercial health and fitness providers who use City of Darwin owned land, for fitness training services.  |
| Busking and street performing              | The performance of music, dance, solo singing, poetry recitation, juggling, magic tricks, chalk art or street theatre on City of Darwin land.  |
| Retail trading                             | Any other commercial activity on City of Darwin land, including, but not limited to: <ul style="list-style-type: none"> <li>• outdoor trading</li> <li>• stall holders</li> <li>• outdoor classes, other than fitness</li> </ul> |

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|--|-------------------------|-----------------------|--------------------------|
| <b>Version:</b>  | <b>Decision Number:</b> | <b>Adoption Date:</b> | <b>Next Review Date:</b> |
| DRAFT X  | XXXXX                   | Select date.          | Select date.             |
| <b>Responsible Officer: General Manager Innovation</b> |                         |                       |                          |

| Activity                       | Description  |
|--------------------------------|--|
|                                | <ul style="list-style-type: none"> <li>walk-along tours and other tour businesses</li> </ul> |
| Other commercial opportunities | Any other commercial business proposal on City of Darwin land not listed above               |

### 3.1 Fees and charges

Fees apply for the use of City of Darwin land and associated administration.

Fees are reviewed and adjusted annually.

### 3.2 Public liability insurance

Unless exempt, licence holders are required to have public liability insurance for commercial activities conducted on City of Darwin Land.

The coverage amount is subject to assessment of the level of risk associated with the activity type. The specific coverage requirements for Public Liability Insurance will be determined by City of Darwin.

### 3.3 Trial period

A trial may be considered for new, innovative commercial ventures for an agreed period. In this case, all impacts will need to be assessed and conditions will apply for the duration of the trial.

A review of the trial will then inform the conditions of any ongoing licence.

## 4 Definitions

**Busking and street performing** means performing of music, dance, or street theatre on public land for the purpose of receiving monetary contributions from members of the public. Buskers and Street Performers are not paid or hired directly for their performance but rely on passers-by appreciating their work and choosing to pay the performer.

**Commercial activity** means a for-profit commercial activity, such as the selling of goods or providing a service for profit.

**Liquor licensed premises** means a premises that holds a Licence under the *Liquor Act 2019* (NT) for the sale, supply, or service of liquor

**Parklet** means temporary structure placed in an on-street car parking bay. It is usually a small platform or deck that extends from a footpath into a parking space and provides seating and landscaping for public use.

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**Public place** means places that are owned by City of Darwin, open and accessible to the public, including footpaths, road reserve, areas surrounding activity centres, parks, and other similar areas.

## 5 Legislative references

*Local Government Act 2019* (NT)

*Liquor Act 2019* (NT)

*Food Act 2004* (NT)

*City of Darwin By-laws 2023* (NT)

## 6 Procedures / related documents

City of Darwin Strategic Plan - Darwin 2030 City for People. City of Colour.

City of Darwin Movement Strategy 2030

6250.001.I.R Commercial outdoor trading guidelines

## 7 Responsibility / application

This policy will be reviewed every four years or as necessary.

The General Manager Innovation is responsible for managing this policy