

# Commercial outdoor activities guidelines

## Guideline No. 6250.001.I.R

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**Responsible Officer: General Manager Innovation**

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## 1 Purpose

These guidelines outline the application process for licenses or permits for conducting commercial outdoor activities on public land owned and/or maintained by City of Darwin.

## 2 Scope

These guidelines refer to the use of public land within the Darwin municipality for commercial outdoor activities including road reserves, parks, and other public spaces. Uses include:

- busking and street performing
- food and beverage premises
- parklets
- outdoor fitness classes
- street food
- tourist coach parking bay operations
- other commercial outdoor activities.

These guidelines do not apply to activities undertaken on land owned or managed by other entities, such as Darwin Waterfront Corporation, crown land, commonwealth land, land belonging to neighbouring municipalities or private property.

## 3 General information

City of Darwin endeavours to foster vibrant streetscapes and support businesses and commercial outdoor activities, while ensuring public amenity, safety, accessibility, and regulatory compliance.

### 3.1 Fees and charges

Fees will apply for all licenses or permits issued for commercial use of public land.

A separate administration fee for preparing a licence or permit may apply.

Licence and permit fees are updated on 1 July each year and are published within the City of Darwin Fees and Charges, which is located on City of Darwin's website.

### 3.2 Public liability

Businesses are required to maintain valid public liability insurance and provide a certificate of currency for the coverage value. City of Darwin is to be listed as an interested party on the certificate. An updated certificate of currency must be provided to City of Darwin each year. Failure to maintain required public liability insurance coverage may lead to the revocation of the licence or permit.

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City of Darwin is not liable for any damages or losses incurred by the licensee or permit holder, or their clients due to their actions, defaults, omissions, or negligence, or those of any third party.

City of Darwin, including workplace participants, will not be liable for any damages or losses resulting from their failure to act upon or make modifications to the public space used by the permit holder or licensee. The licensee or permit holder is responsible for ensuring the safety and security of their operations within the designated public area.

### 3.3 Environment, climate and waste management

When applying for a licence or permit for commercial outdoor activities, applicants should consider the following environmental, climate, and waste management requirements:

- All waste must be removed from public land for disposal, prioritising reuse and recycling.
- Single-use plastics are prohibited on City of Darwin-controlled land.
  - City of Darwin “reusables preferred” signage should be displayed where applicable.
- The activity must not pollute the environment or nearby waterways or stormwater drains.
- The activity must not pose a risk to or damage vegetation, trees or tree roots.
- The applicant should take steps to minimise water use and reduce emissions.

Activities will be assessed considering the targets in City of Darwin's 2030 Climate Emergency Strategy and Waste and Resource Recovery Strategy. Mitigation measures or alternatives may be required where electricity consumption, water use, emissions or waste generation are relatively high compared to those typically expected for similar activities.

### 3.4 Licence or permit conditions

To ensure that commercial outdoor activities align with the public interest and prioritise community benefits, City of Darwin may provide specific licence or permit conditions such as:

- suitable locations
- hours of operation
- specific activities approved under the licence or permit.

These conditions will be tailored to each requested activity and designed to balance the needs of businesses with those of the community and will be guided by the principles outlined in the Local Government Act 2019 (NT), Part 2.3.

### 3.5 Liquor licensed areas

Where a commercial outdoor activities application includes the service of alcohol, applicants must obtain a liquor licence from Licensing NT. City of Darwin will provide an authorisation letter to include with the liquor licence application after the commercial outdoor activities application has been supported.

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### 3.6 Planning application requirements

Under the NT Planning Scheme 2020, commercial outdoor activities may require planning approval from Development Assessment Services. Food and beverage premises and parklets located in the Darwin central business area, and street food vendors are exempt from this requirement.

City of Darwin will provide an authorisation letter to include with the planning application if the commercial outdoor activities application is supported.

### 3.7 Transfer of licence or permit

Licenses and permits are non-transferable and must be used only by the authorised permit or licence holder. Sub-licensing or sub-permitting are prohibited.

### 3.8 Revocation of authorisations

Licenses or permits may be revoked under the following circumstances:

- non-compliance with permit conditions
- failure to pay licence or permit fees
- lapse of public liability insurance policy
- safety or environmental concerns
- any other reason at the discretion of City of Darwin in accordance with City of Darwin By-laws 2023 (NT).

No compensation will be paid for revoked licenses or permits.

Where commercial outdoor activities conflict with an approved event, the licence or permit may be temporarily suspended for the duration of the event, as specified in the licence or permit conditions. When applying for a licence or permit, any known event conflicts will be discussed prior to issuing a licence or permit.

City of Darwin will provide notice to the permit holder regarding any suspension as soon as we are aware, specifying the duration and the reason for the suspension. Event organisers may be required to consult with permit holders to minimise disruptions.

Where a commercial outdoor activities licence permit expires or is revoked, the area must be restored to its original condition, at the licence or permit holder's expense, in a timeframe determined by City of Darwin.

Licenses or permits for particular activities may include additional conditions for suspension and revocation.

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## 4 Busking and street performance

### 4.1 Applying for a permit

Buskers and street performers can perform on public land in the Darwin municipality but must obtain a permit from City of Darwin. The Busking and Street Performer Application is available on the City of Darwin website.

Applicants must provide:

- a completed Busking and Street Performer application form
- valid photo identification
- payment for the permit fee.

Permits are issued at the Civic Centre during business hours, as a photograph is required to be included on the permit.

Buskers and street performers must prominently display the permit at their performance location.

### 4.2 Conditions

Unacceptable busking activities include, but are not limited to:

- excessively loud performances
- acts that involve animals, including reptiles
- selling or offering for sale any articles, commodities, or services, except for CDs or DVDs of the busker's own performance
- fundraising, events, or promotions, including advertising for political, religious or any other cause, even if they involve an element of performance
- vilification of any community members, including but not limited to racial, sexual, gender or disability discrimination
- dangerous performances or performances using dangerous goods such as:
  - fire twirling
  - firecrackers
  - large props
  - knives.

Busking and street performance permits are capped at 100 valid permits at any given time.

Buskers and street performers must also adhere to the following conditions:

- Permits must always be displayed while performing.
- Permit holders cannot stay in the same location for more than two hours. After this time they must move at least 150 m from their original location.
- Permit holders are not permitted to perform on or in the immediate area near any war memorial, including the cenotaph in Bicentennial Park.
- Permit holders are not to perform within 10 m of all public playgrounds.

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- Busking performances within the Smith Street Mall are restricted to the two designated busking locations which can be found on City of Darwin's website.
- Group performances require all performers to hold individual permits.
- Amplification must be always kept to a minimum so as not to disturb nearby residents and/or traders.
- Amplification is not permitted within the Smith Street Mall.

### 4.3 Revocation of authorisation

Busking and street performer permits may be revoked under the following circumstances:

- failing to provide valid identification to authorised officers
- failing to maintain public safety
- engaging in abusive or aggressive behaviour
- participating in dangerous activities
- public intoxication
- ongoing and unresolved complaints to City of Darwin
- persistent, disruptive noise resulting from busking and street performing activities
- solicitation of money from members of the public.

In some cases, City of Darwin may impose a ban on individual buskers or street performers, prohibiting them from obtaining further permits for a specified duration, or indefinitely.

## 5 Food and beverage premises

### 5.1 Applying for a licence

A licence is required to use City of Darwin controlled public land or road reserve for a business to serve food and/or beverages. The Application for Commercial Outdoor Activities is available on the City of Darwin website.

Applicants must provide:

- a completed application for commercial outdoor activities form
- photographs or brochures of furniture and fittings
- a dimensioned site plan
- certificate of currency, listing City of Darwin as an interested party, for public liability insurance of \$20 million
- all supporting information
- payment for the licence fee (refer to preparation of licence and agreement conditions in the City of Darwin's Fees and Charges).

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## 5.2 Conditions

- Invoices are issued monthly or annually.
- The minimum licence period is one month.
- Trading areas should have a direct association with the adjacent business.
- Where proposed trading areas are not directly adjacent to the business premises, the applicant must provide written consent from adjacent business owners with the application.
- If requesting to play music in the area, the applicant is required to provide evidence that:
  - this will not disturb those in surrounding areas
  - required music licenses for recorded music have been obtained.
- Toilet facilities must be provided.

## 5.3 Clear path of travel

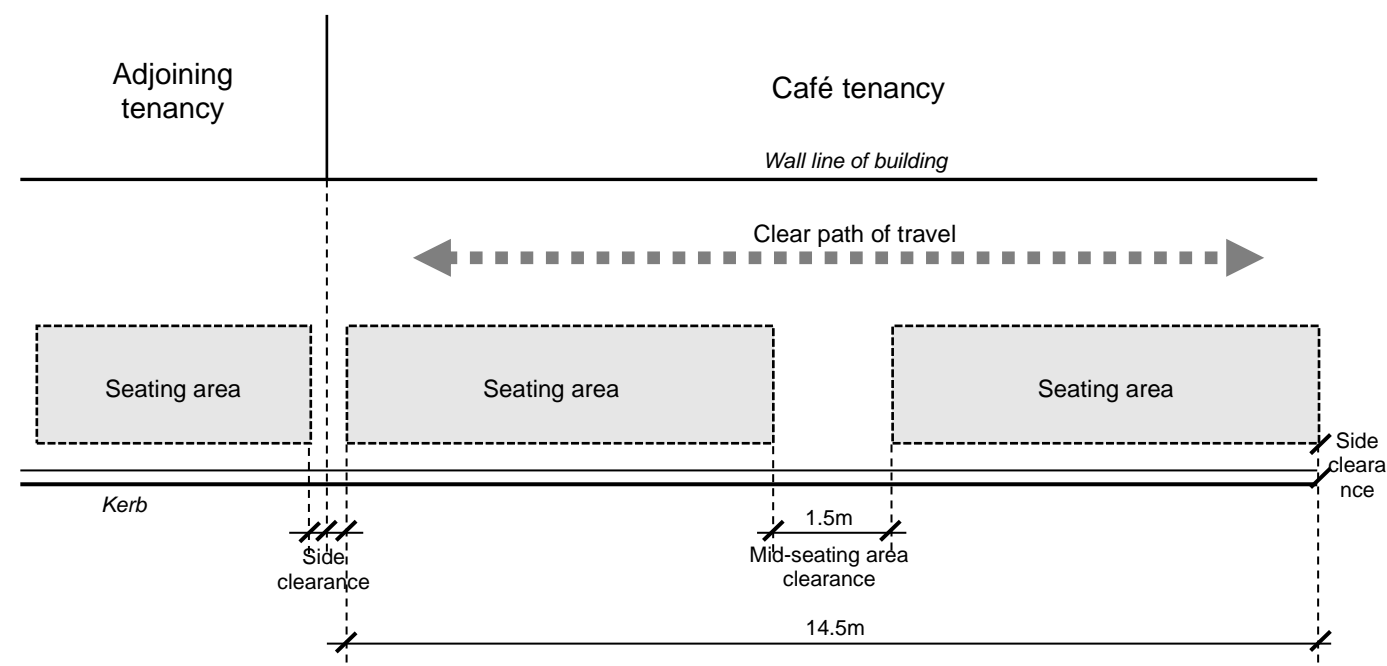
City of Darwin is committed to ensuring safe pedestrian access to footpaths.

Shopfronts must be kept clear of furniture and objects to maintain accessibility, in accordance with the Disability Discrimination Act 1992 (Cth).

A minimum pedestrian clearance of 2-2.4 m is required in line with the Austroads Guide to Road Design. City of Darwin may accept a width of 1.8 m where it can be shown that pedestrian safety will not be compromised.

Shopfronts located in a shared zone may be exempt, as the entire road could be considered a continuous path of travel.

The following diagram demonstrates a clear path of travel:



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## 5.4 Design

- Access to existing infrastructure and/or public utilities in the immediate area must not be compromised by the location of the commercial area.
- Areas under licence must be clearly visible from inside the business premises.
- Barriers, including planter boxes, may be approved on a case-by-case basis.
- Advertising signs may require separate approvals.
- Outdoor dining furniture is to be well maintained and requires approval from City of Darwin.
- Umbrellas must have a minimum clearance of 2.1 m from the lowest point of the main canopy to the footpath and must not obstruct CCTV lines of sight.
- The applicant must secure umbrellas to ensure public safety.

## 5.5 Smith Street Mall

- Outdoor dining areas must not extend past the mid-line of the mall.
- City of Darwin will not approve dining within the emergency vehicle path in Smith Street Mall unless the applicant confirms in writing that they will remove all furniture from the area when an emergency vehicle requires access.
- A 2.4 m minimum clearance is required between the shopfront and the dining area in the Smith Street Mall.
- A 1 m minimum clearance is required either side of the tactile strip located within the Smith Street Mall.

## 5.6 Mitchell Street

Mitchell Street has a high volume of pedestrian traffic. A clear path of travel, measuring no less than 3 m wide, must be maintained between Peel Street and Knuckey Street.

## 5.7 Food preparation on public land

Registered food businesses may be permitted to engage in food handling activities, including cooking, on public land. This is subject to the following conditions:

- The use of the area should be directly associated with the adjacent business.
- Cooking activities must not disrupt pedestrian flow or amenity of the area.
- The proposed cooking methods and equipment will be assessed as part of the application process.
- Consent from neighbouring business owners must be obtained and submitted as part of the application.
- Connection to utilities is the applicant's responsibility.
- Certification from relevant government departments must be maintained.
- The licensed area must always be maintained and kept clean.

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## 6 Parklets

### 6.1 Applying for a licence

A licence is required to use a City of Darwin controlled road reserve for a business to serve food and/or beverages.

There are two options to operate a parklet in the Darwin municipality:

- parklets provided by City of Darwin and leased to the business
- parklets owned and installed by the applicant.

To apply for a licence to operate a City of Darwin owned parklet, applicants must complete the Council Owned Parklet Expression of Interest web form.

To apply for a licence to install and operate a privately owned parklet, an Application for Commercial Outdoor Activities must be submitted.

Both application forms are available on the City of Darwin website.

Applicants must provide:

- a completed application form
- photographs or brochures of furniture and fittings
- a dimensioned site plan
- certificate of currency, listing City of Darwin as an interested party, for public liability insurance of \$20 million
- all supporting information
- payment for the lease or licence fee (refer to preparation of licence and agreement conditions in the City of Darwin's Fees and Charges)

### 6.2 Conditions

- Neighbouring businesses should be consulted when planning to remove a car parking bay for a parklet.
- Outside of operating hours, the parklet is to be made available for use by the public.
- Parklets must not extend beyond the existing business premises boundary unless a neighbouring business owner has provided written permission. This permission is only valid while the signatory owns the business. Change of ownership may result in the parklet being relocated or removed.
- Outside the CBD, applicants must consult with all business owners in activity centres regarding parking arrangements. All comments must be provided in writing and included with the permit application.

#### City of Darwin owned parklet

- Advertising signs are not permitted to be placed in or on the outside of the parklet.
- Smoking is not permitted within the parklet.

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- The lease holder is responsible for maintaining the parklet, including cleaning, landscaping and ensuring unimpeded stormwater flow underneath.

## Business owned parklet

- Parklets are to comply with all relevant Australian standards and a certificate of compliance is to be provided to City of Darwin on completion.
- Hostile vehicle mitigation measures must be included in the design.
- The parklet must be accessible.
- The parklet must be able to be removed within 24 hours.
- The parklet must be standalone and must not disrupt or damage existing infrastructure.
- Greenery in the parklet's design should not obstruct sightlines for vehicles and neighbouring businesses.
- The parklet must not obstruct existing stormwater drainage.

A parklet that does not comply with Australian Standards may be approved for limited use from April–October only, depending on its design and construction.

All costs associated with the construction, maintenance and removal of the parklet will be at the business's/owners cost.

## General parklet conditions

- Umbrellas must be placed at least 600 mm from the road kerb and 2.1 m from ground level.
- The business owner must ensure umbrellas are securely fastened to withstand high winds.
- All removable items, such as chairs and umbrellas, must be cleared from the parklet outside of regular trading hours.
- At the end of the parklet's licence period the parklet must be removed and the road reserve restored to its original condition.
- The parklet should include well-maintained greenery to enhance the streetscape.
- The parklet must be clearly visible from the inside of the business premises.
- The parklet must be kept clean and free of graffiti.
- The surfaces and area underneath the parklet must be kept clean and clear, to allow stormwater flows.
- Adequate lighting should be maintained.
- All advertising signs in a business owned parklet must comply with the City of Darwin's Outdoor Advertising Signs Code.

A road safety audit (RSA) may be required for a parklet proposed to be placed in a parking bay which is located:

- in an on-street bay in a speed zone exceeding 40 km/h
- within 10 m of an intersection
- within 20 m of a signalled intersection on approach
- within a loading zone

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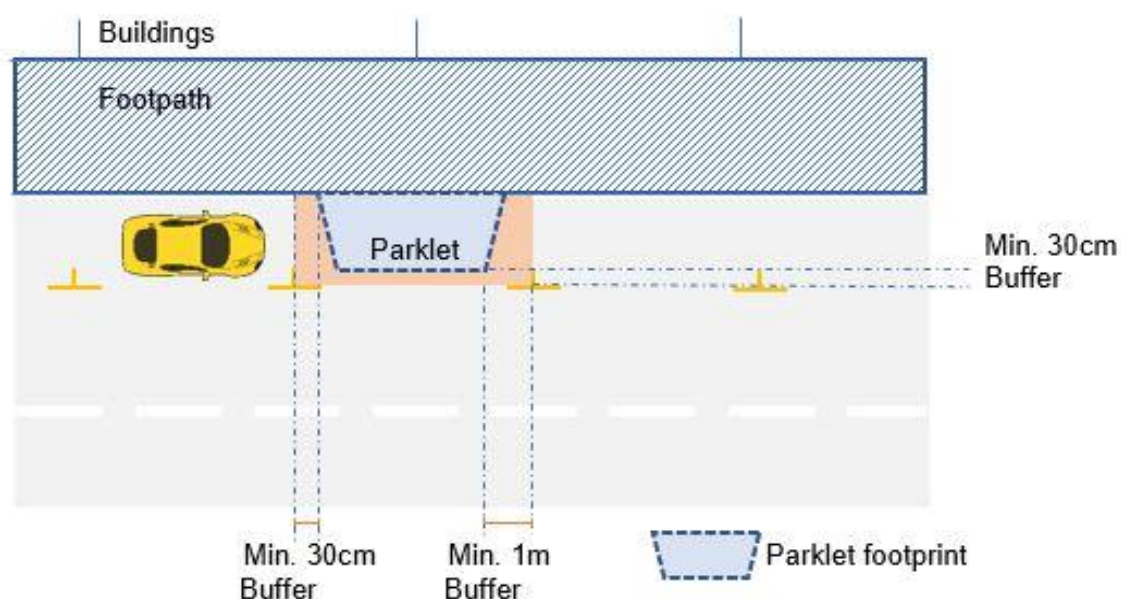
- in front of a pedestrian crossover, ticket machine, street sign, street furniture, tree or next to a driveway
- adjacent to utility access panels, fire hydrants or storm drains.

A parklet cannot be placed in a clearway, disabled parking bay, or a bus or taxi zone. City of Darwin may approve use of a loading zone if the loading zone is moved to a suitable nearby location at the applicant's expense.

City of Darwin may undertake an RSA on behalf of the applicant, but parklet installation works and associated costs are the responsibility of the business owner.

If a traffic impact assessment (TIA) is required, City of Darwin will arrange for a qualified traffic consultant to perform the assessment at the applicant's expense. Required road works will be at the applicant's expense and must meet City of Darwin standards.

#### City of Darwin parklet design



**Typical Parklet edge buffer**

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## 7 Outdoor fitness classes

### 7.1 Applying for a permit

A licence is required to operate a business on City of Darwin controlled road reserve or public land. The Application for Commercial Outdoor Activities is available on the City of Darwin website.

Applicants must provide:

- a completed application for commercial outdoor activities form
- detailed business plan
- a dimensioned site plan
- certificate of currency, listing City of Darwin as an interested party, for public liability insurance of \$20 million
- all supporting information
- payment for the licence fee (refer to preparation of licence and agreement conditions in the City of Darwin's Fees and Charges).

### 7.2 Conditions

Permits are issued for periods of one month, six months and one year. Sessions are limited to a maximum of 20 participants at any one time.

Outdoor fitness classes are permitted between 6:00 am and 9:00 pm daily in most City of Darwin controlled public spaces.

Personal trainers and training groups are required to:

- conduct a pre-training hazard inspection of the area, address any identified hazards or relocate to a safe area
- promptly report hazards to City of Darwin
- respect the safety and convenience of other park users by avoiding obstruction of paths, structures, and utilities
- refrain from entering areas temporarily closed for maintenance
- rotate usage of areas to prevent erosion and compaction
- avoid disrupting community or commercial events being held in the area
- ensure the training area is left clean and tidy after use
- follow any instructions from City of Darwin officers.

Restricted areas include, but are not limited to:

- public fitness equipment
- areas of high pedestrian activity including public footpaths and around park furniture
- areas near war memorials, cenotaphs, statues and public art
- areas in and around children's playgrounds
- areas where there are trees, garden beds and vegetation that may be damaged

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- areas in and around picnic and barbecue facilities
- designated sportsgrounds, such as ovals, tennis and basketball courts, skate parks
- areas within 50 m of residential properties
- any other areas designated by City of Darwin.

Personal trainers cannot advertise in City of Darwin parks or open spaces. This includes use of advertising signs in the area and the distribution of flyers.

### 7.3 Exemptions

Fitness training groups and activities that are exempt from requiring a permit may include:

- walking groups
- school activities within school hours on school days, at an oval within the same suburb as the school
- hirers that have a current booking with City of Darwin to use a sports field, oval or court
- non-commercial uses.

## 8 Street food

### 8.1 Applying for a permit

The street food season runs from the 1 April until 31 March the following year. A permit is required to use City of Darwin controlled road reserves or public land for a business to serve food and/or beverages. The Street Food Application form is available on the City of Darwin website.

Applications for the upcoming season will be accepted in February for a two-week period. During this time, applicants can apply for their preferred sites, trading days, and hours. City of Darwin will advertise the opening of the application period to ensure all interested parties have the opportunity to apply.

Outside of this application period, City of Darwin will consider applications for vacant trading sites only.

Applicants must provide:

- a completed street food application form
- food business registration certificate
- photographs of the trading vehicle and related furniture
- proposed menu
- waste management plan that prioritises reuse and recycling, and encourages the use of reusables
- preferred trading location/s, along with days and hours of operation.
- certificate of currency, listing City of Darwin as an interested party, for public liability insurance of \$20 million
- all supporting information
- payment for the licence fee (refer to preparation of licence and agreement conditions in the City of Darwin's Fees and Charges).

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## 8.2 Trading sites

City of Darwin has nine designated street food locations across the municipality, accommodating a total of 17 individual food vending sites. These include:

- Civic Park – Darwin City Centre: 1 serviced site
- Tamarind Park – Darwin City Centre: 2 serviced sites
- Esplanade – Darwin City Centre: 2 serviced sites
- East Point Reserve: 2 serviced sites
- Nightcliff Jetty: 3 serviced sites
- Nightcliff Pool: 3 serviced sites
- Chapman Road: 1 non-serviced site
- Windsurfers Corner: 1 non-serviced site
- Rapid Creek Bridge: 1 non-serviced site

Other sites in the Darwin municipality may be considered on application.

## 8.3 Operating Times

The trading day is divided into 3 sessions:

- Breakfast from 7 am – 11 am
- Lunch from 11 am – 4 pm
- Dinner from 4 pm – 10 pm.

Vendors may apply to trade for more than one session in a day.

## 8.4 Conditions

- A trial permit is available for first-time vendors, for access to all available sites at a fixed price for one month
- Long-term vendors that demonstrate continuous commitment to the program may be permitted to remain in their preferred trading sites for consecutive permit periods.
- Successful applicants are allocated trading sites which are charged a day rate and power fee.
- Invoices are issued monthly.
- number of permits allocated, and trading locations will be determined by City of Darwin. Please note that every effort will be made to place vendors at their preferred sites; however, this is not always possible.

Vendors must:

- offer food and/or non-alcoholic drinks only
- be a registered food business
- operate from a vehicle or cart
- manage waste and recyclable materials

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- ensure public safety within the trading site
- leave the trading site clean and tidy, and free from damage.

Vendors must not:

- block access or compromise public safety
- drive stakes into the ground
- attach anything to trees or City of Darwin infrastructure
- use City of Darwin public rubbish bins.

## 8.5 Advertising and Marketing

One moveable advertising sign is permitted to be displayed close to each food van. Signs must not be placed within a road reserve.

Businesses are encouraged to maintain their own social media page and provide current trading information to the community.

## 8.6 Cleaning, maintenance and waste management

Vendors must comply with their waste management plans and provide general waste and recycling bins to patrons. All waste must be removed from City of Darwin land and disposed of responsibly.

All cleaning must take place inside the food van. Liquid waste must be lawfully disposed of offsite and must not be discharged within public land, including onto the ground or into stormwater drains.

# 9 Other commercial outdoor activities

## 9.1 Applying for a licence or permit

A licence or permit is required to use City of Darwin controlled road reserve or public land for any commercial use. The Application for Commercial Outdoor Activities is available on the City of Darwin website.

Applicants must provide:

- a completed application for commercial outdoor activities form
- certificate of currency, listing City of Darwin as an interested party, for public liability insurance of \$20 million
- all supporting information
- payment for the licence fee (refer to preparation of licence and agreement conditions in the City of Darwin's Fees and Charges).

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Applications will be assessed against criteria including:

- public safety
- accessibility
- intended use of the public land.

Applicants should seek City of Darwin’s guidance in cases where specific guidelines for an activity are not outlined before commercial outdoor activities are conducted on public land.

## 9.2 Trial period for new and innovative commercial outdoor activities

City of Darwin may initiate a trial period to evaluate the viability and impact of new and innovative commercial outdoor activities. The following steps outline the process for initiating and managing a trial period:

### Application

Applicants must submit a proposal outlining the nature of the commercial outdoor activity, anticipated benefits, potential impacts, and any measures to mitigate negative effects. Proposals should be submitted through the Commercial Outdoor Trading Application Form, available on the City of Darwin website.

### Initial assessment

City of Darwin will conduct an initial assessment of the proposal, considering its feasibility and alignment with the City's strategic objectives. This assessment will evaluate public safety, accessibility, environmental impact, and the proposed use of public land. Input may also be sought from relevant stakeholders, to ensure broader considerations are assessed.

### Trial period agreement

If deemed feasible, City of Darwin and the applicant will agree on the duration and conditions of the trial period. Conditions may include operating hours, location and specific measures to minimise disruption. Clear expectations for monitoring and compliance during the trial will be established.

### Monitoring and evaluation

Throughout the trial period, City of Darwin and the business will actively monitor the activity's impact on the community and environment. City of Darwin will conduct periodic reviews and gather feedback from stakeholders, including nearby businesses and residents. This feedback will be used to adjust the activity if needed and ensure alignment with public interest.

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## Addressing issues

If any issues arise during the trial period, they will be addressed collaboratively through adjustments to the activity or additional conditions placed on the permit or license. This collaborative approach ensures that potential problems are resolved promptly and effectively.

## Final assessment

At the end of the trial period, City of Darwin will conduct a final assessment to determine the long-term viability of the activity. The assessment will consider stakeholder feedback, environmental impact, and overall community benefit. Based on the results, a decision will be made to either grant a permanent permit or license, extend the trial period, or discontinue the activity. The decision and reasoning will be communicated transparently to the applicant and other relevant stakeholders.

By following these steps, City of Darwin seeks to support innovative commercial outdoor activities while ensuring public safety, accessibility, and the well-being of the community.

## 10 Tourist coach parking bay

### 10.1 Applying for a permit

A permit is required to use the tourist coach parking bay which is located in Smith Street adjacent to Bennett Park. The Tourism bus bay application is available on the City of Darwin website.

Applicants must provide:

- a completed tourism bus bay application form
- the designated tour route
- certificate of currency, listing City of Darwin as an interested party, for public liability insurance of \$20 million
- all supporting information
- payment for the licence fee (refer to preparation of licence and agreement conditions in the City of Darwin's Fees and Charges).

Tourist shuttle businesses that operate entirely in the Darwin municipality may apply for a bus bay permit, located in Smith Street, adjacent to Bennett Park. Bennett Park is a designated heritage site, and to minimise potential damage and ensure safe access, a maximum of four permits will be issued at any given time. Each year, permits will be granted to the first four eligible applicants, available on a quarterly or annual basis, with annual permit holders receiving priority for renewal. In addition to the tourism bus bay, a 4 m<sup>2</sup> stall in Bennett Park is included in the permit and can be used to sell tickets or seats for their own shuttle service.

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## 10.2 Eligible operators

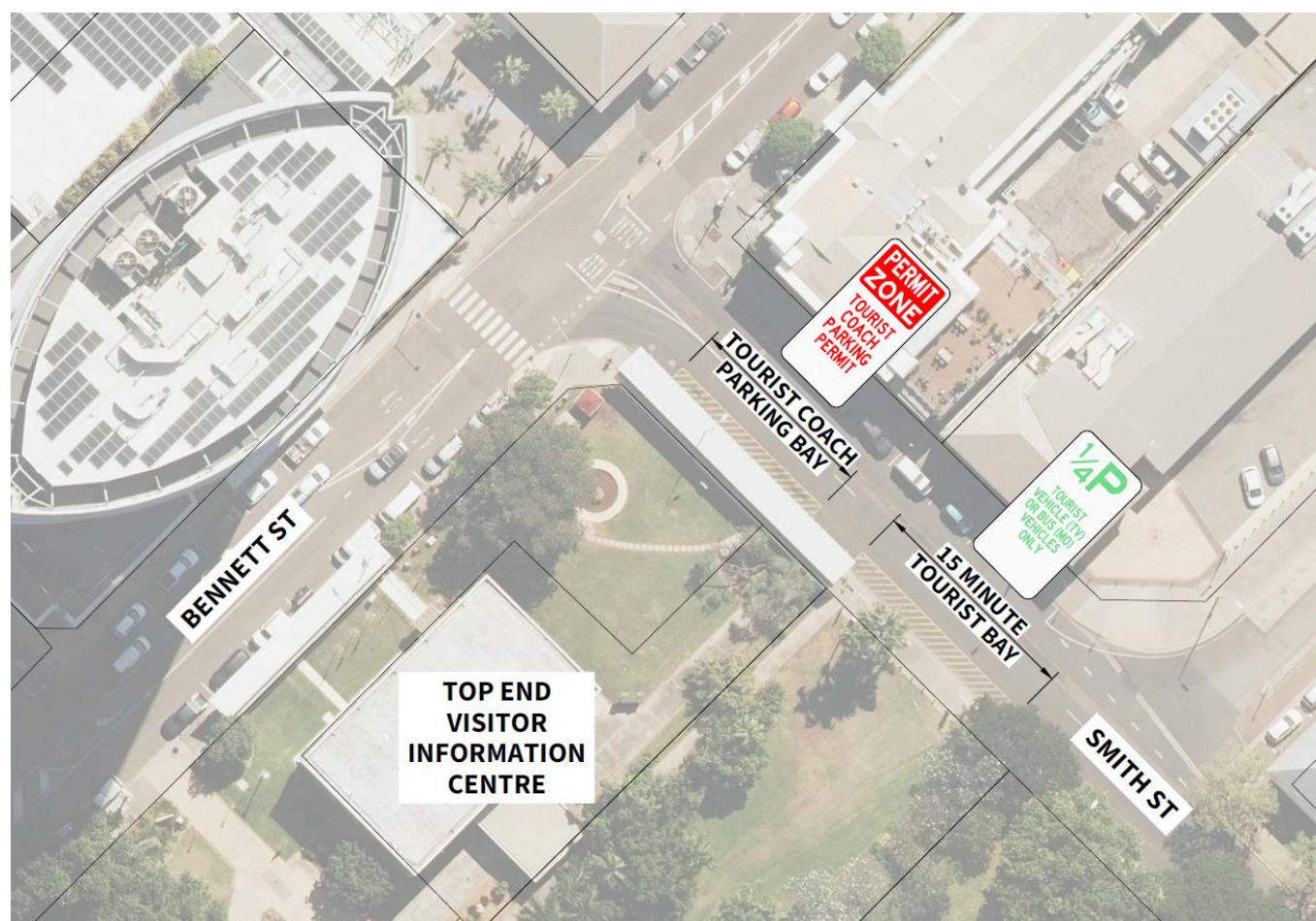
To qualify for a tourist coach parking bay permit, businesses must comply with the following requirements:

- operate exclusively from Bennett Park and facilitate multiple passenger drop-offs and pick-ups
- commence from and finish at the designated tourist coach parking bay
- make stops exclusively at destinations within the Darwin municipality along designated tour routes.

## 10.3 Non-eligible operators

Non-eligible tour operators are permitted to use the ¼ P tourist vehicle bay on Smith Street exclusively for passenger drop-offs and pick-ups. Vehicles must be registered as commercial passenger vehicles, specifically categorised as tourist vehicles (TV) or buses (MO) to use this bay.

## 10.4 Tourist coach parking bay locations

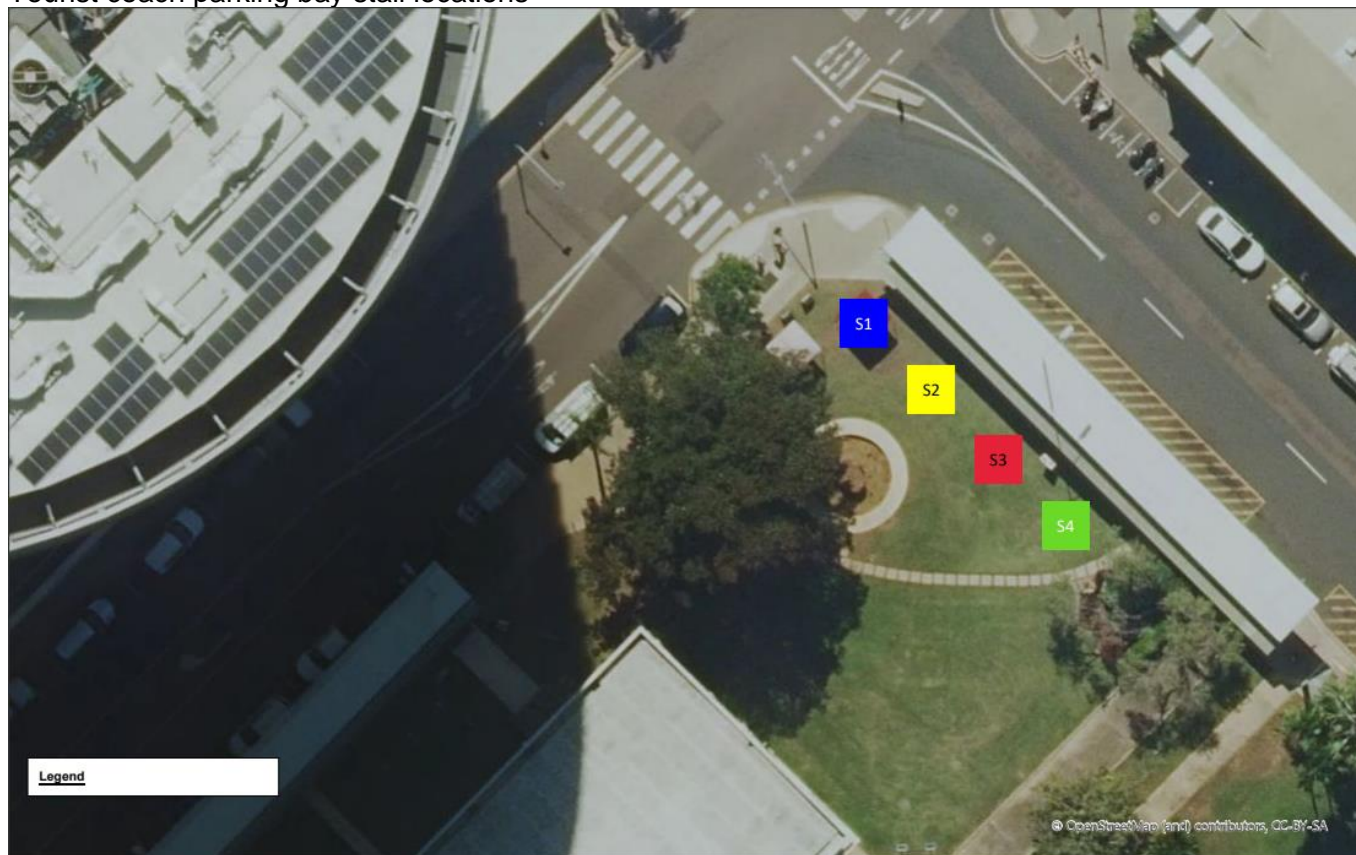


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Responsible Officer: General Manager Innovation

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## Tourist coach parking bay stall locations





Phone: (08) 8930 0300  
Email: [darwin@darwin.nt.gov.au](mailto:darwin@darwin.nt.gov.au)  
Web: [www.darwin.nt.gov.au](http://www.darwin.nt.gov.au)  
Address: Harry Chan Avenue, Darwin NT 0800  
Post: GPO Box 84 Darwin, NT 0801

### Bennett Park Stalls

Disclaimer: This map is a representation of the information currently held by the City of Darwin. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.

Date: 29/06/2023  
Time: 2:20 PM




## 10.5 Stalls

- Stalls function as an extension of the vehicles authorised to use the tourist coach parking bay and are therefore required to exclusively promote their own tours.
- Minimisation of queuing around the stalls and the footpath adjacent to the bus entrance is imperative to ensure it does not impede public access through the area.
- Stalls must be operated exclusively by the staff of the applying company and cannot be subcontracted to a third party.
- Stalls must confine their activities to their designated 4m x 4m area and may include one advertising sign.
- No additional movable signs or other forms of advertising is permitted in Bennett Park.

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## 10.6 Conditions

- Authorised vehicles must visibly display their permit on the dashboard when using the tourist coach parking bay.
- The tourist coach parking bay is exclusively designated for picking up and dropping off tour ticket holders.
- Authorised vehicles are limited to a maximum stay of 15 minutes in the tourist coach parking bay at any given time.
- Vendors operating multiple vehicles are restricted to having only one vehicle stopped in the tourist coach parking bay at any given time.
- Permits are non-transferrable between parties.

## 11 Definitions

**Authorisation** means a Licence or Permit issued by City of Darwin, which will be determined by City of Darwin, based on the commercial outdoor activity being proposed.

**Buskers and street performers** means entertainer/s who are actively providing a performance in a public space in exchange for a voluntary donation.

**Clear path of travel** means the area of the footpath maintained for safe and equitable pedestrian circulation that is free from obstructions and assists in wayfinding and navigation. Also referred to as the continuous accessible path of travel, which is defined by the Australian Human Rights Commission as:

*An uninterrupted route to and within an area providing access to all features, services and facilities. It should not incorporate any step, stairway, turnstile, revolving door, escalator, hazard or other obstacle or impediment that would prevent it from being safely negotiated by people with disability*

**Commercial outdoor activity** means any business-related operation or undertaking that involves the provision of goods or services for financial gain. It also encompasses activities conducted by tourism operators and retailers.

**Food and beverages premises** means the use of the public footpath or land for the purpose of extending the services of premises whose main function is for the provision of food and beverages to the public. Such premises include restaurants, cafes, bars, delis and other food outlets.

**Parklets** means outdoor spaces that can be temporary situated in on-street car parking bays in the Darwin municipality, to create new spaces for commercial outdoor activation of the City of Darwin's streetscape.

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

**Street food** means food prepared or cooked food sold by vendors in a street or other public location for immediate consumption.

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## 12 Legislative references

*Competition and Consumer Act 2010 (Cth)*  
*Disability Discrimination Act 1992 (Cth)*  
*Local Government Act 2019 (NT)*  
*City of Darwin By-Laws 2023 (NT)*  
*Liquor Act 2019 (NT)*  
*Food Act 2004 (NT)*  
*Tobacco Control Act 2002 (NT)*  
*Tobacco Control Regulations 2002 (NT)*

## 13 Procedures / related documents

Commercial Outdoor Activities Policy No. 6250.100.E.R  
 Fees and Charges Policy No. 0019.100.E.R

## 14 Responsibility / application

These guidelines will be reviewed every three years or as necessary.  
 The General Manager Innovation is responsible for managing these guidelines.

## 15 Document control

Document Number			Responsible Officer:	
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1	N/A	24/09/2024	Approved by General Manager Innovation	24/09/2027
2				
3				

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