

# Mobile Food/Coffee Vans on Parks and Reserves Policy and Guidelines

Parks and Wildlife Commission



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<b>Acronyms</b>	<b>Full form</b>
ABN	Australian Business Number
DEPWS	Department of Environment, Parks and Water Security
EOI	Expression of Interest
NT	Northern Territory
Parks and Wildlife	Parks and Wildlife Commission of the Northern Territory

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## 1. Purpose

This policy provides a framework for the approval of small business, low impact mobile food/coffee vans operating on Northern Territory (NT) Parks and Reserves offering food and beverages (excluding alcohol). It provides guidance and transparency and relates to the permit structure of such operations.

The *Territory Parks and Wildlife Conservation Act 1976* (NT) (the Act) and *Territory Parks and Wildlife Conservation By-Laws 1984* (By-laws) provide for commercial activities to occur on NT Parks and Reserves under a permit issued by the Parks and Wildlife Commission (Parks and Wildlife), a division within the Department of Environment, Parks and Water Security (DEPWS).

NT Parks and Reserves provide outstanding opportunities to enjoy the outdoors, climate and open spaces and offer mobile food/coffee van operators patrons and a setting for their business. Activities vary in nature and extent, from a single day operation to multiple days per year, with diverse food and beverage offerings. Parks and Wildlife acknowledges the positive role commercial mobile food/coffee vans have in attracting visitors to Parks and Reserves and the benefits to small businesses and the Northern Territory economy.

Parks and Wildlife is also responsible for ensuring that the services provided by mobile food/coffee vans do not negatively impact the conservation, cultural or natural resources, nor affect visitor enjoyment, or represent Parks and Wildlife inappropriately.

## 2. Scope

This policy applies to small businesses intending to operate a mobile food/coffee van on NT Parks and Reserves managed under the Act.

## 3. Policy Statement

Mobile food/coffee vans on NT Parks and Reserves require a permit from Parks and Wildlife. Parks and Wildlife will issue permits for operations subject to the fulfilment of the requirements specified in section four (4), Guidelines, of this policy.

Commercial arrangements must not hinder users and visitors of NT Parks and Reserves. Parks and Wildlife will consider permit applications where proponents demonstrate that the proposed operation adds value to the visitor experience of NT Parks and Reserves by keeping with the conservation and cultural values of the area.

Parks and Wildlife will give reasons for applications that are refused.

## 4. Guidelines

### 4.1. Application process

An application to operate a mobile food/coffee van under the Act, Division 6, section 55(2) must be by online submission to the Parks and Wildlife Permits Office, accompanied by the prescribed fee in accordance with By-laws, Part 3, section 13(2) – Trade and Commerce.

Proponents must include a detailed site plan of the proposed location of operation; the type of mobile food/coffee van, including a photograph; power and water requirements; proposed generator use (where required); and their preferred operating days and times.

A location may be deemed as accessible to more than one operator subject to the hours of operation, however Parks and Wildlife also reserves the right to call for Expressions of Interest (EOI) for a site where there may be particular logistical or financial considerations.

Proponents must apply for a permit on the prescribed online submission form and meet the following criteria:

1. The business must provide for the sale of food and/or drinks only;
2. The proponent must have a registered business name, Australian Business Number (ABN) and be registered with the NT Department of Health;
3. The proponent must demonstrate self-sufficiency with regards to power, water supplies and waste;
4. The proponent must have, or provide on confirmation of the Parks and Wildlife's intention to grant a permit, public and product liability insurance for at least \$10 million; and
5. The proponent is required to demonstrate public benefit from the proposed operation at the proposed site, including the public benefit contribution to our estates and the wider community.

The actual days and hours of trading will be subject to negotiation between Parks and Wildlife and the proponents. Proponents are expected to trade on the days and times as outlined in the issued permit. Failure to do so may result in a review of the permit.

#### **4.1.1. Applications on Parks and Reserves under Joint Management**

Applications for a mobile food/coffee van permit on NT Parks and Reserves under Joint Management arrangements may be required to be presented to the Joint Management committee/board for assessment and support. The Joint Management committee/board has the right to seek clarification, stipulate conditions and has the right of refusal of the application. If an application is supported by the Joint Management committee/board the final approval for issuing the permit rests with Parks and Wildlife.

### **4.2. Operations**

Once approval has been granted, the proponent will receive a permit for the assigned site for operation to provide services in a manner that will minimise impacts to the natural environment, maintain aesthetic values and be compatible with the management and conservation objectives of Parks and Reserves.

The proposed site of operation must not compromise public safety, cause obstruction, impact on flora or fauna, impede the flow and use of the area by visitors, road users, emergency response personnel, patrons and staff or surrounding businesses and occupants of and visitors to surrounding properties. The proposed use must also be culturally appropriate to the site and the requirements of Joint Management partners and cultural heritage custodians.

#### **4.2.1. Site of operation**

The proposed site of operation must be suitable for the purpose of a mobile food/coffee van operation. Parks and Wildlife will assess proposed site locations for their site suitability. Where the proposed mobile food/coffee van site is in a Park or Reserve with an existing food business(es), the proponent must provide evidence of consultation with the operator(s).

Where a site is unoccupied, allocation is issued on a “first come, first served basis”.

Where a site is occupied and no other applications have been received, allocation and associated permit may be reissued to the existing occupant for a further period, if requested.

Where a site is occupied and additional applications have been received for the same site, allocations will be made through a selection process. The selection panel will comprise officers from across Parks and Wildlife and applications will be assessed against the criteria contained in section four (4) of this document and the following underpinning values of the policy:

- Diversity
- Innovation
- Quality
- Sustainability
- Value

#### 4.2.2. Trading hours

Trading hours and days of trading will be subject to negotiation between Parks and Wildlife and the proponent. The proposed trading hours and days will contribute to the enhancement of the area through the provision of food or beverage services. Permits adjacent to residential areas will be restricted to hours of operation that preserve neighbourhood amenity and do not cause disturbance.

#### 4.2.3. Alcohol

Parks and Wildlife will not permit the sale or supply of alcohol from a mobile food/coffee van operation within NT Parks and Reserves.

#### 4.2.4. Waste management

Proponents must submit a waste management plan as part of their application, demonstrating that all waste products generated from their business, including packaging, wrapping, food scraps, grey water, cooking oil or other kitchen waste, will be disposed of appropriately and removed from NT Parks and Reserves. Waste water must not be discharged anywhere within NT Parks and Reserves without the written permission of Parks and Wildlife.

The assessment of applications will consider proposals that can demonstrate a commitment to the use of environmentally sustainable practices including, but not limited to the use of recyclable / biodegradable products and recycling of waste.

#### 4.2.5. Power generators

The use of an external power generator will require a permit issued under By-law 24A. Proponents must demonstrate that their generator will not impact adversely on fauna, other users adjacent to the site, local residents if applicable, as part of the application process.

### 4.3. Permit and fee structure

Area of operation:

- I. Urban Parks and Reserve; or
- II. Remote Parks and Reserve.

Permit types:

- a) Single event permit – issued for a single occasion;
- b) Three (3) months permit – issued for weekly operations for three (3) months;
- c) Six (6) months permit – issued for weekly operations for six (6) months;
- d) Annual permit – issued for weekly operations over the course of twelve (12) months; or
- e) Multiyear permit up to a maximum of three (3) years.

The permit structure and associated fees differ for Urban Parks and Reserves (within a 30km radius of a city or town) and Remote Parks and Reserves (outside of a 30km radius of a city or town), and permit type based on the duration of the permit. Fees for operation of a mobile food/coffee van on Remote Parks and Reserves are less than that of Urban Parks and Reserves in recognition of the additional cost to the proponent due to travel to the site, and potentially reduced visitor numbers.

A security deposit of \$1 000 applies to each permit, in addition to permit fees. Retention of part or all of the security deposit will be invoked if damage occurs as a result of the operation. Parks and Wildlife will ensure that pre and post operation inspections take place and that, if any portion of the security deposit is withheld, reasons are given in writing.

The fees and charges listed in Schedule 1 aim to reflect fair market value, benchmarked across Australian jurisdictions.

#### 4.4. Permit evaluation and review

Parks and Wildlife retains the right to review a permit for any breach of the terms and conditions, or if information becomes known that, had that information been known or disclosed when the permit was issued, the permit would not have been issued or would have been issued with different conditions. The right to repeal, rescind or revoke a permit in accordance with section 43 of the *Interpretation Act 1978* (NT).

Requests by the proponent to vary or cancel a permit must be made in writing to the Permits Office.

#### 4.5. Work Health and Safety

The proposed business must comply with requirements of the *Work Health and Safety (National Uniform Legislation) Act 2011* (NT). Permit holders are responsible for the work health and safety of their staff and patrons.

Parks and Wildlife will include specific provisions regarding workplace safety planning, reporting and auditing of compliance with safety standards in a permit to operate on a NT Park or Reserve.

Site-specific safety inductions will be delivered by Parks and Wildlife staff at the time of installation of the mobile food / coffee van.

## 5. Roles and Responsibilities

Person/parties	Roles and responsibilities
Senior Director	Consider permit application. If required, review permit
Commercial and Community Partnerships Unit	Liaise with permit applicant and park managers regarding site suitability, duration of planned operation, conditions etc.
Senior Ranger	Site inspection / monitoring
Permits Officer	Issue permit with conditions and manage fee payment(s)

## 6. Legislation, terminology and references

Mobile food/coffee vans are considered 'food businesses' under the *Food Act 2004* (NT):

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

**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
- (b) 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.

All operations, ranging from storing, preparing, handling, dispensing, removing of food products and related activities under this policy must comply with the Food Safety Standards of the *Food Act 2004* (NT). Mobile food/coffee vans applying for a permit must be registered businesses.

## 7. Contact

### ***Parks and Wildlife Division, Permits Office***

Darwin Office (Monday to Friday 8:00am – 4:00pm)

 (08) 8999 4486  [pwpermits@nt.gov.au](mailto:pwpermits@nt.gov.au)  <https://nt.gov.au/leisure/parks-reserves>

## 8. Attachments

Schedule 1: Fees and Charges for Operation of a Mobile Food/Coffee Van in NT Parks and Reserves



## Schedule 1 – Fees and charges

The permit structure and associated fees for operating a mobile food/coffee van differ based on location (Urban or Remote) and permit duration:

**Permit type:**

- a) Single event permit – issued for a single occasion;
- b) Three (3) months permit – issued for weekly operations for the duration three (3) months;
- c) Six (6) months permit – issued for weekly operations for the duration of six (6) months;
- d) Annual permit – issued for weekly operations over the course of twelve (12) months; or
- e) Multiyear permit up to a maximum of three (3) years.

Permit Type	Urban (within 30km radius of a city or town)	Remote (outside 30km radius of city or town)
Single event	\$50	\$50
Three month	\$800	\$200
Six month	\$1 500	\$400
Annual	\$3 000	\$600
Multi-year – 2 years	\$4 500	\$1 000
Multi-year – 3 years	\$6 000	\$2 000
A Security deposit of \$1 000 per site applies in addition to the permit fee		
Fees will be reviewed annually		

A permit will be issued once an application is approved.