

**Title:** Alfresco Dining  
**Policy No:** 11  
**Responsibility:** Director Technical Services

| Version | Decision Number | Decision Date | History                                  |
|---------|-----------------|---------------|--|
| 1       | 17\2824         | 16/02/98      | Adopted                                  |
| 2       | 18\2571         | 13/11/01      | Amended                                  |
| 3       | 18\3034         | 12/03/02      | Amended<br>(deletion of final dot point) |
| 4       | 19\4604         | 12/06/07      | Reviewed                                 |

### Overview

The objective of the Alfresco Dining Policy is to facilitate outdoor dining, and in so doing, to improve the amenity of streets and public places, while providing added convenience and economic benefit to the community.

Outdoor dining involves the sale and/or consumption of food at an outdoor eating area or a footpath, road (including roads under the control of Northern Territory Government) or other public place under the care and control of the Darwin City Council.

The Alfresco Dining Policy is applicable across the Darwin Municipal area and has been prepared in consultation with:

- Darwin City Council Aldermen and Staff
- Existing Traders
- Property Owners
- Interested Organisations and Individuals

### Alfresco Area Agreements

This policy outline is to be read in conjunction with the standard agreement document (see Attachment A). Alfresco Area Agreements are required for outdoor dining where some fixed infrastructure is involved, ie: fixed shade structures, tables and chairs or other street furniture.

### Application Procedures

The procedure to be used in making an application for Alfresco Area Agreements is as follows. The application must be in writing and accompanied by supporting material:

- A dimension drawing indicating the frontage of the site, the position of the tables and street furniture in relation to any existing features such as planter boxes, and the size of the proposed Alfresco Area.
- A photograph or brochure detailing furniture, accessories and fittings intended to be placed in the area.

The Applicant must, if so required, furnish any further relevant information or documents that the Council may need to decide the application.

Where the proposed Alfresco Area will be serviced by adjacent premises, the written permission of the owner of these premises must be provided with the application for the Alfresco Area Agreement.

An application for an Alfresco Area Agreement is not duly made until the applicant has complied with all requirements.

*Key Criteria to be Used in Determining an Application*

A key determinant will be adjacency to premises that provide access to appropriate toilet facilities to service the Alfresco Area.

The length of the Alfresco Area Agreement will depend on the level of investment. 3 x 3 years for lower levels of infrastructure investment and 5 x 5 years for higher levels when applicable. Where applicable, consideration will also be made for some consistency in the period of the Alfresco Area Agreement and the lease period of the applicant's premises.

The annual rental value of the Alfresco Area Agreement shall be at market value, with consideration for the value of capital improvements made by the person or Company making the agreement.

A Public Liability Policy for not less than \$20m which lists Darwin City Council as an interested party is to be maintained for the Alfresco Area.

A high standard of fittings, such as shade and rain shelters, that meet Building Code requirements where appropriate, is required. These fittings are to be maintained in good state of repair at all times. Darwin City Council must approve the design and materials used. All fittings, including chairs and tables, planter boxes and umbrellas must be in keeping with the character of the area.

Use of quality reusable crockery and cutlery must be in keeping with the standard of furniture and fittings, no disposable containers or cutlery to be used in the food delivery.

Cooking and/or storage of food within the area covered by the Alfresco Area Agreement must relate to the nature of the activity and the size and location of the space provided. Alfresco Area Agreement holders will need to address health and safety issues involved.

The Alfresco Area Agreement will set out a minimum spread of hours of operation with the intent of encouraging the maximum hours of operation, taking into account the trading hours of surrounding businesses and seasonal conditions.

The Alfresco Area is to be kept clean, disposal of generated waste is to be carried out to the satisfaction of the Director Technical Services.

Specific Darwin City Council approval is required for any entertainment or amplified music within the Alfresco Area.

**Decision 18\2571 (13/11/01)**

*Council will allow the serving of Alcohol without a meal during the period 8.00 pm to 2.00 am the following day.*

*Council will allow the serving of Alcohol with a meal during the period 11.30 am until 8.00 pm .provided the following criteria are met:*

- *Patrons shall consume alcohol only whilst seated at a table (bar stools and raised tables will not be approved).*
- *The area shall be clearly delineated with the use of barriers to the satisfaction of the Director of Technical Services.*
- *Adjacent footpaths shall be controlled in such a manner to minimise disruption to the Public.*
- *Substantial meals and non-alcoholic drinks shall be available on request.*
- *The area shall at all times have the appearance of and trade predominantly as a outdoor dining area.*
- *Prior approval of Council and the NT Liquor Commission.*
- *Noise Levels should be limited to a level that would not cause unreasonable disturbance to the ordinary comfort of ordinary occupiers of any residential premises.*

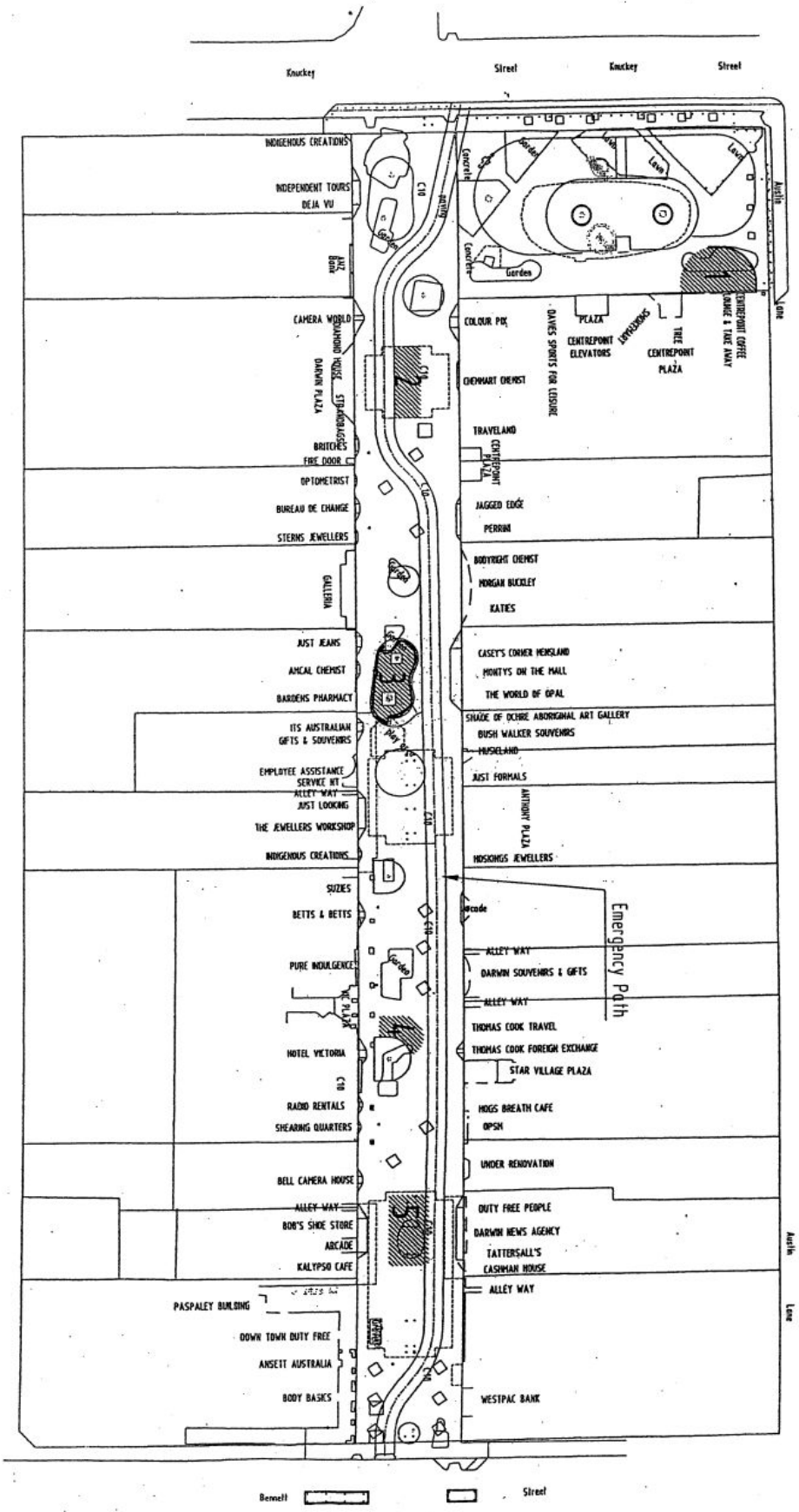
Outdoor in “The Mall” and Raintree Park will only be permitted under the provisions of the Alfresco Area Agreement.

*Schedule of Potential Alfresco Areas - The Mall and Raintree Park*

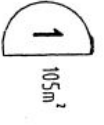
|    | <u>Site</u>               | <u>Seating Capacity</u>  |
|----|---------------------------|--------------------------|
| 1. | Raintree Park             | Seating approximately 40 |
| 2. | ANZ area                  | Seating approximately 48 |
| 3. | Raised Dias Galleria area | Seating approximately 48 |
| 4. | Vic Complex area          | Seating approximately 32 |
| 5. | Bennett Street area       | Seating approximately 60 |

Underground services exist within reasonably proximity to all sites, however, connection to services will be at the applicants expense.

**ALFRESCO AREAS - THE MALL/RAINTREE PARK**



Approximate Areas:



Potential areas for Alfresco Dining as shown numbered 1-5