

CAIRNS MARKETS TERMS AND CONDITIONS

1. *All use must comply with any local, Queensland and Federal Government directives and advice in relation to COVID-19. These are subject to change without notice.*
2. *Only goods and services listed on the application form and approved by Cairns Regional Council can be sold.*
3. *Pre-approval is required if you wish to introduce a new product to your stall. The selling of goods not listed nor approved is strictly prohibited and may result in exclusion from the market.*
4. *The stallholder must maintain Public Liability Insurance for the term of the markets to the value of \$20,000,000 noting Cairns Regional Council as an interested party.*
5. *Stallholders under the age of 18 years must be accompanied by an adult.*
6. *Stallholders must comply with Cairns Regional Council standards as follows:*
 - *Stallholders must supply their own marquee and equipment. Marquees must be an approved size (3m x 3m, 6m x 3m, 4.5m x 3m).*
 - *The use of awnings on any marquee is strictly prohibited unless for the purpose of protecting against rain entering the marquee. No products are to be hung or displayed in or under this area. The use of awnings must not encroach on other stallholders' space and must first be approved by Cairns Regional Council.*
 - *Stalls must not block pedestrian walkways and ensure that all equipment and signage is contained within the boundary of the agreed site.*
 - *Pegging infrastructure into the parklands is strictly prohibited unless written permission has been obtained from Cairns Regional Council and an irrigation mark-up has been completed.*
 - *All electrical equipment leads, and appliances must display a current electrical certified test and tag sticker.*
 - *Stallholders must follow the Cairns Regional Council's Cairns Markets Sustainability Standards which ban the use of single use plastics.*
 - *Stallholders must adhere to all COVID regulations as per Queensland Health directives.*
 - *Stallholders are not permitted to tout and must comply with Cairns Regional Councils noise restrictions.*
 - *Stallholder sites must be returned in the same condition that they were hired.*
 - *Stallholders are responsible for the security of their designated site and the security and safety of any property of Council in or around their designated site. Cairns Regional Council accepts no liability to damage, misplacement or loss of any item (equipment, stock, promotional materials etc) stored at its facility by the stallholder. Security of all items is the stallholder's responsibility.*
 - *Stallholders must remove all rubbish from their site. Failure to remove rubbish may incur a cleaning fee.*
7. *Stallholders must adhere to site specific traffic and parking instructions issued by Cairns Regional Council when setting up and packing down market stalls, including the following:*

- *Driving and parking is strictly prohibited on all grassed, and other designated non parking areas as signed, unless written permission has been obtained from Cairns Regional Council.*
 - *Stallholders will be advised of loading zones and other areas which can be used for setting up and packing down market stalls.*
 - *Non-motorised methods of transport such as manually pushed trailers or trolleys are permitted on to the market area for set-up and pack-down times only.*
8. *Stallholders may arrive no earlier than three hours prior to the market commencing and adhere to set up times as directed by Cairns Regional Council.*
 9. *Stallholders must be ready to trade by the agreed market start time. Stallholders arriving after the commencement of the market may be refused entry and a credit for stall fees will not be issued.*
 10. *Stallholders are required to operate for the duration of the market day. In extenuating circumstances stallholders may receive permission from Cairns Regional Council to pack up early.*
 11. *Stallholders must have sites vacated within two hours of the allocated finish time.*
 12. *Cairns Regional Council promotes respect, safety and tolerance for all. Stallholders are expected to be courteous to the public, market organisers and other stallholders at all times. Expulsion from the markets will result if the stallholder has behaved or is behaving in a manner likely to cause distress, disturbance, inconvenience, damage or harm to any other person present at the market.*
 13. *Stallholders may not be accompanied by their animal/s without written consent. Most markets are held in area covered by the Prohibition of Animals in Public Places under Cairns Regional Councils' Local Laws.*
 14. *Cairns Regional Council reserves the right to photograph and/or video market stalls and stallholders unless specifically asked not to do so.*
 15. *Cairns Regional Council reserves the right to rotate market stall sites and locations.*
 16. *If the stallholder is in breach of the terms of this approval, Cairns Regional Council has the right to withdraw approval at any time, without prior notice.*

Payment and Cancellation policy

17. *Stallholder fees are payable upon formal acceptance of an application and are due by the nominated deadline.*
18. *Stallholders needing to cancel an existing booking must inform Cairns Regional Council in writing in order to be credited. Cancellation deadlines vary according to each market type. These are specified as follows:*
 - *Tanks Markets: 5 days' notice required*
 - *Carnival on Collins: 14 days' notice required*

Refunds may not be issued for cancellations that fall outside these timeframes.
19. *Stallholders who cancel for more than three consecutive market dates will forfeit their nominal site location.*
20. *Cairns Regional Council reserves the right to cancel markets. In this circumstance, Cairns Regional Council will advise all stallholders as soon as practicable and ensure stall fees previously paid for this date will be credited towards another market date.*