

MARKETS

Intent To control and regulate the conduct of regular markets on Council owned or controlled land.

Scope This Policy applies to all regular markets on Council owned or controlled land within the Cairns region. The policy does not apply to one off events which may contain market stalls. One off events are covered under relative Local Law licence.

Objectives

The purpose of this Policy is to ensure that regular markets be developed, managed and conducted in such a manner that:

- An environment is created that supports, fosters and encourages the growth of cottage industry arts and craft.
- A suitable mixture of products is provided and encouraged so as to develop a market atmosphere.
- Leisure opportunities are created for visitors and local residents.
- An attractive vibrant family atmosphere is created in safe, pleasant surroundings.
- The markets are financially viable and sustainable for all stakeholders.

PROVISIONS

Stallholder Approval

Stallholders must submit an annual application for approval to attend Council markets. Approval will be subject to assessment of product and manufacturing processes and prior compliance with market stallholder terms and conditions.

Product Criteria

The Cairns Regional Council markets are intended to support and encourage hand made arts and crafts. All items for sale must have been produced by the stallholder, by the stallholders own efforts (or the stallholders immediate family) to supply the demands of patrons of Cairns Regional markets.

All items for sale must display the following:

- originality
- skill or craft has been used in creation of the item
- items have been produced by hand labour or with the use of small tools only
- manufacture of the item fits within the definition of "craft" and "cottage industry" as contained within this policy.

All other specifications as detailed in the operating terms and conditions of each individual market.

Foodstuffs

Sale of food and non-alcoholic drinks are permitted within the Cairns Regional Markets only where such items are prepared, packaged, stored and sold according to the Queensland Health Food Standards Code. Food product must also fit within the definitions contained within this policy.

Second-hand goods, Collectables and/or Bric-a-Brac

Within the terms and conditions of each individual market consideration may be made for inclusion of stalls retailing second-hand goods, collectables or bric-a-brac. subject to the relevant Market Coordinator having determined that such inclusion will not undermine the objectives of this Policy.

Items not permitted

Individual product may be excluded from sale where inclusion of such product is considered to negatively impact the objectives of this Policy.

Terms and Conditions of Markets

Terms and conditions of approval will be developed for each regional Market. Annual fees and charges will be resolved by Council for inclusion within the terms and conditions. Full compliance of market trading terms and conditions is required of all stallholders. Failure to comply with the terms and conditions may result in disciplinary action, including removal of approval to operate.

Non-Council Operated Market on Council Lands

Should private individuals, businesses or community groups seek approval to operate markets on Council lands the following conditions apply:

- the activity is required to result in positive community outcomes
- approval is only by Council Resolution
- on-going licencing will be via standard Council venue hire processes
- operation and management may only be by a registered NFP or charity organisation
- organisers must hold \$20,000,000 public liability insurance cover for all coordinators and stallholders
- all funds generated must be returned to community activities or infrastructure in the immediate community area.

Council Operated Market on Non-Council Lands

Should Council be approached to administer markets on non-Council lands the following conditions apply:

- approval is only by Council resolution
- the activity must be self-funding
- Council will provide a market coordinator to manage, coordinate and administer the market
- all revenues are to be retained by Council
- where administration costs are not directly met by stallholder revenue these must be covered by the activity proponents
- Council will insure the market activity in its name
- the activity proponent and landowner will indemnify Council and its officers, employees and agents in respect of all claims arising out of or as a consequence of the market activity
- any agreement will be subject to annual review.

Responsibilities

The Manager Community Development is responsible for the administration of this policy.

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This policy is to remain in force until otherwise determined by Council.

General Manager Responsible for Review:

Community, Sport & Cultural Services

ORIGINALLY ADOPTED: 13/05/2009

CURRENT ADOPTION: 21/02/2018

DUE FOR REVISION: 21/02/2022

REVOKED/SUPERSEDED:



**John Andrejic
Chief Executive Officer**