



1.0 Purpose

The Markets Policy provides a framework to guide the approval and operation of markets on land under the care and control of Canterbury-Bankstown Council (Council). It seeks to facilitate well managed markets that support and contribute to local communities.

2.0 Scope

This Policy applies to all market operators requesting to operate on land under the care and control of Council and the assessment of those applications.

All markets are treated as a special event and are subject to the terms and conditions contained within the Special Events Application form.

This Policy does not apply to markets operated on private land or land outside the care and control of Council. However, these market operators must still adhere to applicable legislation and local policies, such as the *Food Act 2003* (NSW) and *Food Regulation 2015* (NSW).

3.0 Terms and Definitions

Council Land	Land under the care and control of Canterbury-Bankstown Council.
Food security	Adequate access at all times to sufficient, safe, nutritious food to maintain a healthy and active life.
Market	A regularly scheduled temporary outlet for the sale of goods and produce, a large proportion of which is not available through normal commercial outlets, and whereby the majority of goods and services are directly delivered by the artist, artisan, designer, producer, or service person. A market does not require the erection of permanent structures.
Market Operator	The individual or group who intends to operate the market and who will enter into an agreement with Council to use and operate on the site.
Stall holder	The individual or group who will enter into an agreement with the Market Operator to use and operate one or more stalls in the market.
Environmental weed	Plants that invade native ecosystems and adversely affect the survival of indigenous flora and fauna.
Organic food	Food certified by the seven bodies accredited by the Department of Agriculture, and Water Resources:
Special event	<p>An event that takes place wholly or partly on Council land (including roads, footpaths, parks, Council venues and sporting grounds) that requires approval.</p> <p>Events can range from small functions such as markets, weddings and community fundraisers through to large functions such as festivals, major sporting events and parades.</p>



4.0 Policy Statement

This Policy guides local market activity, ensuring compliance with Council requirements, relevant legislation, regulations and best practice in all aspects of health and safety, while continuing to develop Canterbury-Bankstown's reputation as a destination city.

5.0 Policy Principles

Council acknowledges the contribution markets make socially, economically and culturally to the Canterbury Bankstown Local Government Area (LGA). Well managed markets activate and create a vibrancy to the public domain that enhance the economic potential of the area while encouraging local production, distribution and consumption of goods.

This Policy relates to the *Liveable and Distinctive* destination of the *cbc city 2028* Community Strategic Plan.

The following criteria, capture Council's approach to the approval and operation of markets on Council owned or operated land:

5.1 Application and Approval

According to Section 68 Part D of the *Local Government Act 1993* (NSW), market operators are required to obtain Council approval for activities held on Council owned or operated land, managed through an approval process.

Market operators must submit a 'Special Events Application Form', that will be assessed on a case-by-case basis. Council reserves the right to refuse market applications, grant consent subject to modifications, or limit the frequency of markets.

Market operators must adhere to the Terms and Conditions outlined in the 'Special Events Application Form' and any additional conditions noted in Council's Schedule of Fees and Charges. Council's Schedule of Fees and Charges specifies the fees, charges and bond payable by market operators.

Council welcomes markets that:

1. Promote food security, health, well-being, safe work practices and environmental sustainability;
2. Have minimal impact on the environment, local residents and nearby businesses, and
3. Reflect Canterbury-Bankstown's diversity of cultures

5.2 Items for Sale

While Council encourages the sale of local goods, it prohibits activities where there is an actual or perceived conflict of interest, is not in the public's interest, or is not in accordance with Council's policies and procedures. Notably, it prohibits the sale or promotion of (but not limited to):

- Tobacco;
- Drugs;



- Pornography;
- Animals;
- Fur and other exotic animal products;
- Environmental weeds;
- Religious or political activities;
- Dangerous or harmful merchandise; and
- Illegal activity.

The sale of alcohol is permissible subject to relevant licensing approvals and Council approval, as part of the application process.

Council retains the right to enter any stall at any time and remove articles which are dangerous, offensive or not suitable for display or sale at any market.

5.3 Market Locations

Council recognises the importance of diversity in considering options for the location of current and future markets. Market locations will be assessed according to the following criteria:

- Capacity and conditions;
- Infrastructure and utilities;
- Accessibility and transportation; and
- Long term potential.

Council will review markets regularly to determine site usage effects, sustainability and viability.

5.4 Legislative Compliance

Council is committed to acting in accordance with its legislative obligations. Markets will be subject to regular inspections by Council Officers to ensure compliance with the provisions of this Policy, relevant regulations, codes and legislation including the *Food Act 2003*, *Food Regulation 2015* and the *Australia New Zealand Food Standards Code*. Council may charge an inspection fee.

Market operators are required to adhere to all NSW Public Health Orders and requirements.

6.0 Monitoring and Review

6.1 Monitoring

Manager City Business and Engagement

6.2 Review

Three years after adoption



7.0 Approval

7.1 Policy Owner

Manager City Business and Engagement

7.2 Authorisation

Adopted by Canterbury-Bankstown Council on [INSERT DATE].

7.3 Modifications

8.0 Related Documents

8.1 Laws and Standards

- *Local Government Act 1993* (NSW)
- *Food Act 2003* (NSW)
- *Food Regulation 2015* (NSW)
- *Australia New Zealand Food Standards Code*
- *Roads Act 1993* (NSW)
- *Work Health and Safety Act 2011* (Cth)
- *Disability Discrimination Act 1992* (Cth)

8.2 Policies, Procedures

- Schedule of Fees and Charges
- Special Events Application Form