

Chinatown and Brunswick Street Markets
Operating Policies and Rules

The Chinatown and Brunswick Street markets are operated by the Valley Chamber of Commerce under licence from the Brisbane City Council.

The Valley Chamber of Commerce does not recognise any contract, written or verbal, which may have been entered into between stallholders and previous markets administration.

The Markets are at all times subject to the Chinatown and Brunswick Street (Valley) Brisbane City Malls Ordinance (the Ordinance).

Following are the Valley Chamber of Commerce operating policies and rules for the conduct of the Saturday Markets in the Brunswick Street and Chinatown Malls.

Stallholders

Stallholders are required to supply the following information:

Trading Name (if applicable)

ABN (if applicable)

Contact Name

Contact Address

Telephone Number

Car registration Number and Trailer Registration Number (if planning to bring vehicle onto either Mall).

In compliance with the Second Hand Dealers and Collectors Act (Qld) 1984, any stallholder who is required to possess a Second Hand Dealers Licence must provide that Licence to a Markets Manager.

No stallholder may sell a new product in either Mall deemed to be in direct competition with Retailers in those Malls, or adjacent or adjoining areas. A decision in this matter will be at the discretion of the Markets Managers.

No stallholder may sell a product deemed unsuitable or inappropriate by the Markets Committee .

Any stallholder selling brand name products may be required to produce evidence of the product's authenticity.

Stallholders are not to bring their cars onto either Mall until they have obtained permission from a Markets Manager. This applies for both mornings and afternoons. Vehicles parked on the Mall without a Markets Manager's permission may be subject to a parking ticket from the Brisbane City Council.

With permission from a Markets Manager, stallholders may bring their vehicles onto the Mall to unload no earlier than 5:00 am and to load no later than 6:00pm for a maximum time of 20 minutes.

Stallholders may cease operating their stalls at any time during the day, but must vacate the Malls by 6:00 pm. Any vehicle on the Mall after this time may be locked on the Mall, and can be fined by the Brisbane City Council.

Note: Stallholders are to remove their vehicle before commencing to set up in the mornings, and dismantle their stalls and pack up before bringing their vehicle onto the Mall in the afternoons.

The bollards will be locked between 8:00 am and 4:00 pm and no vehicle is permitted onto the Mall during this period.

Stallholders who occupy a regular position must be present on the Mall before 7:00 am to secure their position. If a stallholder is not present before this time, their site will be considered vacant and may be allocated to another stallholder.

Stallholders who occupy a regular position should notify the Markets Committee in writing at least one week prior to any absence. Failure to do so may result in the withdrawal of their regular position.

Footpaths on Ann and Wickham Streets must be kept clear at all times. A minimum of 4 metres clearance must be maintained for emergency vehicle access. Stallholders breaching this clearance or access lane can be fined by the Brisbane City Council.

A minimum of 4 metres clearance (break in the stalls) must be maintained in front of the entrances to the shopping arcades of McWhirters, TC Beirne Centre and Chinatown Carpark Arcades. Clear access to the public telephones and rubbish receptacles installed in the Malls must be maintained at all times. Vehicles are not permitted on the stage or part of the stage in both Malls.

Electricity is not to be used from the Brisbane City Council outlets (any power points on both Malls), unless written permission is obtained from Brisbane Marketing Pty Ltd. Electricity will be charged at \$6 (\$5.45 plus \$0.55 GST) for 10 amperes outlet and \$10 (\$9.09 plus \$0.91 GST) for 15 amperes outlet, if permission is granted. Extension leads must be 'tagged' to display that they have been checked and approved by an electrician, in compliance with the Workplace Health and Safety Act (Qld) 1995. Tagged leads must be presented to a Markets Manager prior to their use in either Mall.

Amplified advertising and promoting of any market product or verbal promotions of any kind are not permitted.

Retailers

Any Retailer in either Mall or adjacent or adjoining areas may sell its product only in its respective Mall on Markets days. This privilege will always be subject to sufficient site space being available in consultation with a Markets Manager.

The product referred to in the preceding clause must not be in direct competition with a fellow Retailer in either Mall or adjacent or adjoining areas. Personnel involved must be employees of the Mall Retailer. Adequate proof of this requirement may be requested at any time by a Markets Manager. Retailers not satisfying the above conditions will not be allowed to trade on the Malls at the discretion of the Markets Managers.

Site Permit

- 1) No person shall set up a stall on the Mall until such time as the appropriate permit fee is paid to a Markets Manager.
- 2) The payment of the permit fee entitles a person to the use of a site for the day only subject to the terms of the operating policies and rules as varied from time to time. No lease or licence is to be inferred at law upon payment of such permit fee as a continued right to occupy the same location on the malls. The site location is always subject to the discretion of the managers and subject to availability on a week to week basis.
- 3) Site permits are granted to individual stallholders who are approved by the Markets Committee and who pay the appropriate permit fee. Stallholders are not permitted to sublet their stall, in whole or in part, to a third party. If the personal identity of the operator of a stallholding changes, the position must be reapplied for on a new stallholder application form.
- 4) Stallholders are permitted to sell only those products that they have applied to sell and which have been approved by the Markets Committee. Any stallholders wishing to vary their stock should first seek the approval of the Markets Committee by completing a new stallholder application form.
- 5) Acceptance of the permit fee by a Markets Manager shall always be subject to the operating policies and rules herein or as varied and notified by the Markets Managers to the Stallholders.

Indemnity

- 6) By signing this Agreement, you agree to indemnify the Valley Chamber of Commerce and the Brisbane City Council from all legal liability whatsoever if a person or persons is injured as a consequence of any negligent, reckless or improper action or lack of action by you concerning any matter to do with your stall.

Withdrawal of Permit

- 7) The Markets Managers may withdraw a stallholder's permit if, in their opinion, they are satisfied that the stallholder has breached any of the operating policies and rules. Upon the withdrawal of the permit, the stallholder must immediately vacate the site and remove all belongings. If not so removed, the Markets Managers have the authority and the irrevocable permission of the stallholder to remove and place in storage the stallholder's belongings from the site at the cost of the stallholder. The stallholder shall indemnify the Markets Managers for the cost of removal.

Summary Notice

Stallholders who do not abide by these operating policies or demonstrate abusive, uncooperative or impolite behaviour will be permanently excluded from the Markets at the discretion of the Markets Managers. The Markets Managers are solely responsible for the running of the Markets, while they are operating. Any comments or complaints regarding the Managers can be made in writing to the Markets Committee, Valley Chamber of Commerce, PO Box 606, Fortitude Valley, Qld, 4006.