

# Northern Rivers Food Links – Local Government Resource Kit

## Food Security Policies

### Farmers Market template policy and supporting documents

This policy template was prepared to assist Northern Rivers Food Links Councils to develop a Farmers Market Policy.

#### Objectives

---

\*\*\* Council recognises the importance of farmers markets in promoting healthy lifestyles and encouraging local food production, distribution and consumption.

Farmers markets allow consumers to access fresh, locally produced food products direct from the grower and contributes to :

- local economic growth
- food security
- food and nutrition education
- the economic, social and health capital of the host community
- business incubation
- the preservation of farmland and sustainable agriculture
- the consumption of fresh, locally produced food
- promote cultural diversity through food
- reduced food miles.

This policy aims to clearly distinguish the concept of a farmers' market from other markets, both retail and wholesale.

In an effort to support consumer awareness, this policy aims to ensure that when shopping at a farmers' market, the public has confidence in the authenticity of producers i.e. that the person they are transacting with is the person who grew or made the produce or that the person at the stall can answer questions regarding the produce and place where it was grown, foraged or made.

## Scope

---

The farmers market policy applies to all land under the management control of **Council** and is designed to identify the minimum requirements in relation to seeking approval to operate farmers markets.

The key principle embodied in this policy is that farmers market projects should be initiated, designed, and operated by the local community with support from Council.

## Definitions

---

The following definitions are provided to assist in understanding the requirements of this policy.

*Farmers market* - is a predominantly fresh food market that operates regularly within a community, at a focal public location that provides a suitable environment for farmers and food producers to sell farm-origin and associated value-added processed food products directly to customers.

*Genetically modified crops* - “Genetically modified” crops (also referred to as genetically engineered (GE) crops or genetically modified organisms (GMO)) are crop cultivars or varieties that have been modified by a process of artificially inserting specific genes from a source organism into the gene sequence of another, with the purpose of producing specific traits in the resulting crop.

*Itinerant food vendor* - a person who has a vehicle, cart or stall used for the sale of food and which travels from place to place.

*Potentially hazardous food* - refers to food that has to be kept at certain temperatures to minimise the growth of any pathogenic micro-organisms that may be present in the food or to prevent the formation of toxins in the food.

*Public area* - an area set aside for public recreation on Council owned and/or managed land, including children's playgrounds, covered bus stops and taxi ranks, public jetties, patrolled beaches, sporting fields, sports stadiums and centres, public swimming pools, squash courts, tennis courts, croquet lawns, community buildings, and footpaths within areas of commercial zoning.

---

## **Related legislation, policies and procedures**

---

Animal Welfare Code of Practice - Animals in Pet Shops

Application to operate a food stall at a temporary event or market (or relevant Council form)

Attachment 1 Farmers Market self assessment checklist

Attachment 2 Farmers Market guidelines

Attachment 3 Staff checklist – Farmers Market

Attachment 4 Application form to operate a farmers market – where a development application is not required

Attachment 5 Information to be included when a development application is required for a farmers market to be established

Attachment 6 Sale of Goods at farmers market – Prohibited Items

Attachment 7 Farmers Market resource list

Companion Animals Act 1998

\*\* Council Community Strategic Plan

\*\* Council Development Control Plan

\*\* Council Policy

\*\* Council Local Environmental Plan

Food Act 2003

Environmental Planning and Assessment Act 1979

Local Government Act 1993

Protection of the Environment Operations Act 1997

Roads Act 1993

Others?

## **Mandatory Inclusions:**

---

[Council to insert any specific details they require as a “must do / have”]

1. Council has a strong commitment to the production and supply of safe food to all consumers in the community.

2. Council will determine through its Local Environmental Plan zonings which:
  - allow farmers markets with development consent (i.e. require the submission of a development application) or approvals (requires a formal application and compliance with a set of conditions).
  - prohibit farmers markets.
3. Council requires a formal application and approvals process to allow farmers markets to occur to ensure suitable locations are utilised, pedestrian movement is maintained, waste is managed appropriately and the retail sector is supported.
4. Council will determine appropriate fees to be submitted with applications for an agreement / approval, licence or lease to operate community gardens on public land. Alternatively, Council may decide to waive any such fees.
5. Council will determine appropriate fees to be submitted with Development Applications for community gardens on private land as noted in the Management Plan. Council may decide to waive any such fees.
6. Applicants will enter a formalised agreement / approval, licence or lease with Council should their application be successful.
7. All proponents will have public liability cover of \$10,000,000 or be auspiced by an organisation with public liability cover of \$10,000,000
8. Farmers markets will generally run for 3-4 hours and all temporary infrastructure will need to be removed and the site returned to its original state at the conclusion of the market.
9. Council reserves the right to conduct inspections to ensure that all stallholders are registered with the NSW Food Authority (a free on-line form is available at [www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au)). A helpline has been established for further assistance on 1300 650 124). If Council considers a stall to be non-compliant it is the farmers market organisers responsibility to ensure the stallholder ceases trade immediately.
10. Farmers market infrastructure, including signage, must not interfere with overhead or underground services.
11. Itinerant food vendors and mobile food vehicles need to ensure they have all appropriate licences from Council as per the Food Act 1993.

12. Council requires that **all** food stalls selling “potentially hazardous foods” submit a *Food Safety Plan*
13. Where a farmers market is to be operated on land classified as community land or other public land that is in the care and control of Council it is desirable that the revenue from the operation of the farmers markets be used to cover the cost of operating the markets, maintenance of the market site and any remaining profits are returned to the community.
14. Council may impose restrictions on smoking in public areas, including those used for farmers markets.
15. Council may impose restrictions on days and or times of farmers market operation so as to maximise opportunities for stallholders to provide and consumers to access local foods whilst avoiding competition between markets.

### **Policy Review**

---

This policy will be reviewed annually following assessment of the outcomes from each farmers market project approved and managed, to ensure the processes and sustainability outcomes are consistent with the policy objectives.