

### 9.3.11 Market Code



#### 9.3.11.1 Application

This code applies to development identified as requiring assessment against the Market Code by the tables of assessment in **Part 5 Tables of Assessment**.

#### 9.3.11.2 Purpose

- (1) The purpose of the Market Code is to ensure *Markets* are appropriately located and are undertaken in a safe and efficient manner and minimises off-site impacts.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) A *Market*:
    - (i) is co-located with existing community facilities or commercial activities;
    - (ii) is conducted at a frequency that is compatible with the character of the local area;
    - (iii) is managed so that significant environmental impacts are contained within the site itself and do not cause nuisance to neighbouring and nearby *sensitive receivers*;
    - (iv) is established where infrastructure and services are available or can easily be provided to meet the needs of users; and
    - (v) does not cause unacceptable impacts on safety, off site amenity, health or infrastructure including the road network as a result of traffic movements and parking.

#### 9.3.11.3 Assessment Benchmarks

**Table 9.3.11.3.1— Criteria for Accepted and Assessable Development**

Performance Outcomes	Acceptable Outcomes
<b>Siting and Location</b>	
<b>PO1</b> The frequency of operation of a <i>Market</i> does not adversely impact the amenity of the locality, particularly for residents and persons in the vicinity.	<b>AO1</b> A <i>Market</i> is conducted not more than two days in any calendar month and not more than two consecutive days.  <i>Note - Conducting a market does not include set-up and dismantling of a market where no retail activity occurs</i>
<b>PO2</b> A <i>Market</i> provides adequate access to amenities.	<b>AO2</b> Public toilets: <ol style="list-style-type: none"> <li>(1) are provided within the area of a <i>Market</i> or are located within 200m of a <i>Market</i>;</li> <li>(2) remain open and accessible for use during <i>Market</i> hours including set-up and dismantling activities;</li> <li>(3) are maintained in a clean, safe and tidy state; and</li> <li>(4) are identified by directional signage indicating their</li> </ol>

Performance Outcomes	Acceptable Outcomes
	location.
<b>Amenity</b>	
<b>PO3</b> A <i>Market</i> is operated at times that does not adversely impact the amenity of neighbouring and nearby <i>sensitive receivers</i> .	<b>AO3</b> A <i>Market</i> , including setup and dismantling, operates between the hours of 5.00am and 10.00pm.
<b>Environmental Impacts</b>	
<b>PO4</b> A <i>Market</i> does not cause noise nuisance to neighbouring and nearby <i>sensitive receivers</i> .	<b>AO4</b> The use of amplified music, megaphones, public address systems and noise generating plant and equipment does not occur between the hours of 9.00pm-7.00am.
<b>Lighting and Glare</b>	
<b>PO5</b> A <i>Market</i> does not cause light nuisance to neighbouring and nearby <i>sensitive receivers</i> .	<b>AO5</b> Any temporary lighting is turned off or dismantled immediately on closure of a <i>Market</i> .