

# TERMS & CONDITIONS

AT BRUNSWICK HEADS MARKET

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## 1. **TRADING LOCATION & HOURS**

Memorial Park, Fawcett Street, BRUNSWICK HEADS, NSW, 2483

Every 1st Saturday of the month.

8am-2pm.

## 2. **CODE OF CONDUCT**

- a) All stallholders are required to adhere to the Brunswick Heads Markets Terms & Conditions & comply with the instructions of the market manager.
- b) All stallholders must treat other stallholders & market management crew with respect. Bullying or insulting behaviour including verbal and non-verbal aggression, abusive, threatening, or derogatory language & physical abuse or intimidation is unacceptable.
- c) Stallholders represent the Brunswick Heads Community when attending the market. This means that while present at the market, stallholders will:
  - Behave in a respectful manner
  - Provide quality service
  - Conduct business honestly
  - Promote Brunswick Heads Markets positive reputation
  - Take responsibility for their own actions.
  - Cooperate with other stallholders and market management to create a vibrant space
  - Refrain from damaging the good name and reputation of another market stallholder.

## 3. **COVIDSafety**

- a) Stallholders must read and follow any COVID19 directives set by the market manager, Byron shire Council, NSW Health & actively participate in creating a safe environment.
- b) Any information that is presented by management to the stallholder for the health & well-being of our volunteers, stallholders, customers & wider community must be followed.
- c) Stallholders must register their COVIDSafe Plan & submit as part of the Registrations process. NSW Government may request that this document be updated & a current version will be required for the market manager.
- d) Non-compliance of COVID Safety will jeopardise your future market attendance.

## 4. **APPLICATION PROCESS**

Stallholders only need to apply once. All applications are stored in a database for future vacancies. The decision to allow a business to trade at the market is at the discretion of the market manager.

There are no casuals accepted on the day of trading.

## STAGE 1 – EXPRESSION of INTEREST

A short 'Stallholder Enquiry' form is available on the website as an expression of interest.

- From the information you provide, the market manager or a member of the team will assess your product & site availabilities.
- There are quotas on product types to ensure there is no oversaturation.
- There is a selection process and stallholders need to meet the criteria to be able to trade.

## STAGE 2 – APPROVED APPLICANTS

The market manager will respond via email or phone when a site becomes available. The following documents will be emailed out-

- Registration Form
- Terms & Conditions
- COVIDSafe Requirements for Stallholders
- BumpIn/Out Procedures

The Registration form is a more detailed application that requires necessary information & documents to be uploaded. This is to meet the regulations of the Byron Shire Council & NSW Government. Stallholders will need to upload:

- Current Liability Insurance Policy, minimum cover of \$10,000,000
- Registered COVIDSafe Plan as of 11 October 2021.

Stallholders who do not have these documents will not be eligible to have a site.

Stallholders must read the Terms & Conditions & agree to abiding by them.

## 5. **FOOD & VALUE-ADDED FOODS**

Additional documents are required for Food Vendors.

- a) Food stalls must strictly follow all health regulations and standards.
- b) Food Stalls need to have a Food Safety Supervisor Certificate and follow all NSW Food Safety & Council Requirements to operate in the Byron Shire.
- c) Where food is prepared on site, the structure and operation must be shown to meet approval of council.
- d) All permits to trade within the Byron Shire must be presented to any authorities when requested on the market day. Liability is always with the food vendor & the market management nor the Brunswick Valley Woodchop Committee are liable for any food vendors non-compliance.
- e) Stallholders who are cooking with either gas or electricity are required to have a fire blanket, an annually tagged fire extinguisher & an oil spill kit.

## 6. **STALLHOLDER SELECTION**

We place a strong emphasis on curating an event to feature a unique collective of Australian made and ethically produced goods.

- a) The Brunswick Heads Markets 'Selection Process' policy is adhered to for consistency and fairness.
- b) The market aims to localise stallholders to support our community, our local farmers, foodies, growers, creatives, and designers.
- c) Cheap imports of inferior quality will not be accepted.

## 7. **FEES**

- a) Invoices will be sent out to all stallholders 10 days prior to the market date & payment made by Wednesday 4pm.
- b) All fees will be paid via Bank Deposit only & into the account of the Brunswick Valley Woodchop and Entertainment Committee.
- a) Stallholders will need to email a 'proof of payment' to [brunswickmarkets@gmail.com](mailto:brunswickmarkets@gmail.com) to secure a site.
- b) In the event of the market cancelling, stall fees will be rolled over to the next market.
- c) Payment is for the day of trade only. It does not entitle the stallholder to any rights over the site.
- d) Sites that exceed the standard stall size, will incur a further fee unless authorized by market manager.

## 8. **DOCUMENTATION**

The stallholder is responsible for ensuring they have the necessary permits, registrations, licences, certificates & insurances to operate at the market. Council inspections will occur occasionally & these documents must be made available when requested. The stallholder must supply the market manager with a current Insurance Policy. Stallholders with expired Insurance Policies will not be permitted to trade.

## 9. **ARRIVAL**

- a) First time stallholders are allocated their site upon arrival at the managements caravan.
- b) Stallholders must occupy their allocated stall site and continue trading until the end of market trading hours.
- c) Site allocation is final, even if a stall holder has traded on a particular site number at a previous market.
- d) If a stallholder is going to be late, they must contact the market manager by phoning 0418 400 415. Sites may be allocated to another stallholder.
- e) Stallholders **MUST** unload all equipment and remove vehicle as quickly as possible from market area before setting up a stall.

- f) Stallholders will be required to carry all equipment to their stall site from outside the market area if they arrive within 15 mins of start of trading hours.

#### 10. **PACK UP**

- a) Pack up commences at the end of trading hours, 2pm or as directed by market manager.
- b) Vehicles may only enter once the stall has been completely packed down and not before.
- c) Care must be taken when driving through the market at the end of the day.

#### 11. **STALLHOLDER PARKING**

As requested by Byron Shire Council there are to be no vehicles parked on site for the duration of the Market.

#### 12. **REQUIREMENTS FOR STALLHOLDERS**

- a) Stallholders contact details must be kept up to date with the manager and consent provided to be contacted by email and phone.
- b) Stallholders must leave their stall site free of rubbish. It is the responsibility of the stallholder to take ALL waste from their stall site at the end of the day. Failure to clean up adequately will incur a cleaning charge of \$30 or ban from the market.
- c) Any damage to surfaces (grass/ground) from use of vehicles etc. must be repaired at the expense of the stallholder.
- d) On-site bins are strictly for customer use only. Stallholders must provide a bin for their own use and customers use. Any trader found to be using on-site bins to dump unsold goods, broken equipment & rubbish will incur a charge of \$30.
- e) Stallholders must ensure that their gazebo is secured to the ground. All responsibility for accidents or damage caused to person or property by unsecured gazebos or any other stallholder equipment or possessions will be assumed by the stallholder and not the responsibility of the market manager, Brunswick Valley Woodchop Committee or Local Council.
- f) Stallholders are NOT permitted to smoke within the market area.
- g) The market manager reserves the right to refuse entry to the market and/or terminate the stallholders' participation at any time. Rude and/or aggressive behaviour will not be tolerated and will result in the immediate expulsion of that person and their stall from Brunswick Heads Market.
- h) The use of plastic bags is banned. Stallholders are to use recyclable, biodegradable and environmentally friendly products and packaging.

#### 13. **NO SHOW**

Stallholders that fail to notify management for non-attendance forfeit their site at the market. Do not turn up at the following market & expect to have a spot. You will need to rebook.

#### 14. **STALLHOLDER CANCELLATIONS**

- a) Any stallholders that cancel are required to confirm attendance for their next market by text.
- b) All stallholders will need to inform the coordinator of any changes including non-attendance, at least 2 days prior to market day.
- c) Stallholders that continue to cancel will return to the wait list.

#### 15. **POOR WEATHER CANCELLATIONS**

- a) The market may be cancelled on the occasion due to unsafe weather conditions.
- b) If wind gusts are forecasted to be 35kph the markets will be cancelled.
- c) Torrential unsafe weather & the market will be cancelled.
- d) Stallholders and the public will be notified of cancellations on social media via the Facebook and Instagram. It is therefore requested that all stallholders follow both streams to stay informed with any changes.
- e) Stallholder fees will be rolled over to the next market or refunded upon written request.

#### 16. **PROHIBITED GOODS**

The sale or display of counterfeit goods is an offence and such goods are prohibited within the confines of the market area. Any person found in possession of, displaying or offering for sale counterfeit brand name goods, fake or inauthentic Indigenous arts & crafts, weapons or animals will be evicted from the market.

#### 17. **ANIMALS**

The market is pet free and only assistance dogs such as guide dogs are permitted to accompany people at the market. This rule applies equally to stallholders and the public.

#### 18. **EQUIPMENT**

The market managers provide the site only. Stallholders must therefore bring everything they require for their stall with them, including gazebos, weights & pegs, tables, tablecloths, stall signage. The site at the market is very open to the elements. Gazebos must always be secured with tent pegs, sandbags, or weights.

#### 19. **POWER**

- a) We have a limited number of sites with electricity & therefore food stalls are prioritised.
- b) Stalls that do not require electricity are not permitted to set up in any of these sites.
- c) There is a limited number of generators permitted on site due to the noise levels near the residents.

#### 20. **INCIDENT REPORTS**

An Incident Report form is available from the management caravan. This includes all contact details of witnesses and a description of the incident.

## 21. COMPLAINTS

- a) All complaints are to be directed in writing to [brunswickmarkets@gmail.com](mailto:brunswickmarkets@gmail.com)
- b) If the market manager receives a written complaint, regarding a breach of the Code of Conduct by a stallholder, they will investigate the allegation and may refuse the offending stallholder a stall position.
- c) The market manager nor the Brunswick Valley Woodchop & Events Committee will be held liable for any claims made by customers against stallholders, regarding faulty, inedible, or misrepresented products sold by stallholders at the market. All complaints made by customers regarding any product, food, or service sold at any specific market by any stall will be referred to the stallholder to deal with. If satisfaction on the matter is not gained, then the matter will be referred to the ACCC and the Office of Fair Trading.

**By accepting a stall site, stallholders acknowledge they have read and accept this policy and will trade in accordance with the terms therein.**

**Non-conformance may result in the withdrawal of the invitation to trade at the market.**

**Market management reserves the right to review and amend any of the Terms & Conditions as necessary. The decision of the market manager is final.**

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| Website      | <a href="http://www.brunswickheadsmarkets.com.au">www.brunswickheadsmarkets.com.au</a>   |
| Email        | <a href="mailto:brunswickmarkets@gmail.com">brunswickmarkets@gmail.com</a>   |
| Social Media | <a href="https://www.instagram.com/brunswickheadsmarkets">www.instagram.com/brunswickheadsmarkets</a><br><a href="https://www.facebook.com/brunswickheadsmarkets">www.facebook.com/brunswickheadsmarkets</a> |
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