

# CONDITIONS OF TRADE

The following is a list of condition of trade that outline the operation of Mallacoota Community Markets 2022/23 and the conditions that stall holders must abide by in order to obtain and maintain approval to operate our market.

## 1. Applications

- a. All applicants must fully complete an application form (found on the Mallacoota Markets website) and return it via email or post. They must ensure they sign to agree with these Conditions of Trade and provide contact and product details as specified.
- b. Acceptance and non-acceptance of applications shall be at the sole discretion of the Market Committee and will be based on all information available for assessment. Applicants are therefore strongly encouraged to be as clear in the information they provide as possible.
- c. Acceptance and ongoing permission for holding a stall at these markets will be based upon such factors as (but not limited to)
  - c.i. Product criteria - quality, product distribution, diversity or market mix, and availability. Please note that rejection of an application upon these criteria is not necessarily a reflection of the product quality but may simply reflect an overabundance of the product category already represented by other stall holders.
  - c.ii. Any evidence of applicant's level of past adherence with applicable conditions of trade or participation, and compliance with basic behavioural standards considered appropriate for family markets.
- d. Management reserves the right to reject applications and/or withdraw permission from existing stall holders without entering into any correspondence or otherwise explaining reasons for its decisions. All decisions made by Management are final.

## 2. Stall Rental and Fees

- a. Stall rental and the allotment of stall numbers (site placement within each market) is totally at the discretion of Mallacoota Market Management. Management will attempt to allot the same stall number/position to regular stall holders. Management are unable to guarantee any site number/position.
- b. Current fee structure can be found on the Mallacoota Markets Website.
- c. Stalls cannot be transferred, sublet, franchised or sold to any other person or entity.
- d. **Fees must be paid on arrival on the day of the market to the entrance gate attendant.**

## 3. Covid Safe Plan

Our public market is in the Mallacoota Lions Park area where the perimeter of the market space is not cordoned off with clear entry points and is not considered an event space.

Mandatory vaccination of workers and volunteers is not required or relevant.

Operators of individual stalls at a public market are responsible for compliance with Retail Trade CovidSafe Settings at their stall.

Food and drink stalls within the Market area must follow COVIDSafe Settings for food and drink premises.

It is recommended that workplaces practise physical distancing of 1.5m and where possible put processes in place to avoid crowding at entrances and counters.

Face Masks- ensure all workers follow the current face mask requirements.

Sanitiser stations for patrons to be placed at regular intervals and around high traffic areas of the Market and toilet facility.

## 4. Approved Products

- a. A stall holder may only offer for sale product categories which have been approved by Management.
- b. To add other products from different product lines/categories, further approval must be sought from Management, which may be done via phone, email or mail.
- c. All products offered for sale must not be discriminatory, offensive or dangerous.
- d. It is the responsibility of the stall holder to ensure compliance with any and all safety and other standards pertaining to their product(s).

## 5. Code of Conduct

Stall holders are expected to -

- a. Comply with all relevant Australian laws and operate within the intent of those laws.
- b. Demonstrate fair, honest, courteous and professional conduct when dealing with the public, other stall holders and with Management.
- c. Comply with the Terms and Conditions of Trade of Lions MCMs.

Staff and volunteers are expected to - Provide a safe and courteous environment for trading.

## 6. Insurance, Registrations, Permits & other Compliance issues

- a. Product liability insurance and public liability relating to individual stall areas are the responsibility of individual stall holders. Mollacoota Arts Council - Artisan and Produce Market and Mollacoota Lion's Community Markets Management accept no responsibility for any loss, theft or damage to stall holders' stock or other property, or for public or other liability associated with stall holders' trading or maintenance of their stall sites.
- b. Stall holders must hold all required permits from all regulatory authorities that apply to the products they sell and they must comply with all regulatory standards in their production (if applicable) and sale. This includes (but is not limited to):
  - b.i. Food stalls: Stall holders selling food (e.g. from food vans, carts etc) must have a Statement to Trade from East Gippsland Shire and must meet Food Safety Standards and any other Regulatory requirements. It is the responsibility of any stall holder who intends to sell food to check with the Shire and any other regulatory bodies if

- exemptions apply in their particular circumstances and determine if they require any permits. A copy of any required permits must be on display for viewing at the stall.
- b.ii. Food labeling/signage: A notice stating any relevant food warning must be displayed in an obvious position at the point of their sale. A list of foods that must be included is available from [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au).
  - b.iii. Fundraisers such as sausage sizzles etc: Some small fundraising events are exempt from a requirement for permits and registration but still must meet Food Safety Standards in preparation and handling. It is the responsibility of individual stall holders to ensure any required permits (including for fundraising and food service) are obtained and applicable standards met.
  - b.iv. Raffles or other gambling instruments may not be run unless prior approval has been granted through discussion per event with Management and appropriate permits have been obtained and regulations complied with.
  - b.v. Sale of alcohol: Stall holders wishing to sell alcohol must hold a Liquor Licence and seek approval through discussion with Management.

## 7. Market Days

- a. All Stall holders must ensure they have submitted their completed form (application/agreement with conditions).
- b. Stall holders must be in the market area 30 minutes prior to market opening (must arrive before 7.30 am SHARP), be ready to trade at the commencement of the trading hours and must continue trading until closing time. Cars will not be able to be moved until 15 minutes after closing time to ensure pedestrian safety.
- c. Market volunteers will be on hand to manage traffic, collect any outstanding forms and fees, and direct site placement from 6.30 am. Management reserves the right to instruct a stall holder to move sites if they have set up prior to this time at a site that has not been allocated to them.
- d. Management reserves the right to re-allocate stalls if stall holders have not arrived by 7.30 am. If stalls have not been reallocated and stall holders arrive after 7.30 am they will need to walk their goods in to their site.
- e. Registered stall holders must be in attendance during the market trading times as advertised unless previous permission is granted by Management.
- f. Management attempts to place regular stall holders in the same site at consecutive markets but we cannot guarantee that this will always be possible.
- g. Stall holders agree to notify Management as soon as possible if they are unable to trade at a market. The market coordinator should be contacted on 0490 211 606. This courtesy call allows reallocation of sites to better manage market days and keep our markets inviting and easy to navigate for customers. Un-notified nonattendance may reflect poorly on stall holders' future applications.
- h. It is the responsibility of stall holders to set up, maintain and clean up their own stall area, being aware of safety requirements. **All Marquee or stall shelter structures must be anchored securely with pegs or water bottle type anchors to the ground.** All rubbish should be removed from the site as directed.
- i. Loud or offensive product promotions by stall holders are not permitted.
- j. Any concerns or issues during market days should be raised with a market representative

immediately to allow possible solutions to be found as soon as possible. If an issue remains outstanding they should be addressed in writing.

- k. Stall holders must pay fees that are due for a market when approached by the nominated Market Representative. Fees will need to be paid in this way at each individual market, which is when stall holders can also receive a receipt.

## 8 Waste Management

1. All single use drink and food containers will be compostable.
2. All take away drinks containers will be compostable or you can use our re-usable green mugs. The mugs will be distributed to stall holders and they will be collected in clearly marked food-grade wheelie bins and washed by management.
3. All single use carry-out bags will be paper or re-usable cotton/jute/hemp. No plastic bags permitted.
4. Eating utensils will be wood or other biodegradable material.
5. Stall holders who do not comply will be asked to leave and their further use of our facilities put under review.
6. Any packaging not clearly identifiable as compostable or fully biodegradable must be removed from the stall by the stall holder.
7. Cold drinks will be sold in aluminium containers only. The sale of bottled water in plastic bottles is banned. East Gippsland Water has mobile tap points available for bubble fountains and water bottle refill points
8. We ask stall holders to take their rubbish away with them.
9. Stall holders who leave rubbish on their sites will have their continued use of our market put under review.
10. Stall holder's biodegradable food waste can be disposed of in our biodegradable marked bins if sealed in suitable biodegradable containers.