

TOWNSVILLE ROTARY MARKETS STALLHOLDER INFORMATION/ MARKET RULES

Effective: 21 March 2010

MARKET ADMINISTRATION / CALL CENTRE

Contact: Ms Cathy Thompson
Phone: 0417 721822
Office Hours: 9am – 3pm
Monday to Friday
Postal Address: PO Box 1370
Thuringowa Central QLD 4817
Email: bookings@townsvillerotarymarkets.com.au
(confirmation of booking will be by reply email)

TRADING HOURS

Cotters: Every Sunday 8.30am – 1.00pm
Willows: Every Sunday 7.00am – 11.00am
Strand: First Friday each month from May to December 5pm – 9.30pm.

BUMP IN AND BUMP OUT

The Markets site will be staffed from one hour before the commencement of the Markets Trading Hours.

All vehicles entering the Markets area must drive with due care and attention, at a maximum of 5 km/hr, and have hazard lights flashing in, proceeding in one direction from the designated entrance to the Markets area, and exiting at the designated exit.

No vehicle may enter the Markets area after the commencement of the Markets and prior to the finishing of trading hours, except with the express permission of the Markets Coordinator, under the guidance of a walker. As this is a safety issue, stallholders failing to adhere to this rule may be refused permission to trade at future markets.

All stallholders are required to accept responsibility for and pay for any damage caused by their vehicles to other vehicles, infrastructure, other stallholders, or any other damage.

All vehicles must have left the Markets by the time of commencement of trading.
During bump in and bump out, all clearways must be left clear of parked vehicles to allow other vehicles to pass.

Stallholders are to park to the side while unpacking and packing up, enabling traffic to pass and other stallholder to access their sites. Stallholders are not to set up their stalls while their car is still standing in the markets after they have unpacked. Vehicles are not allowed to remain in the markets during trading hours unless there are exceptional circumstances and with the express permission of the Markets Coordinator.

All vehicles are to be removed from the Markets trading area at least 15 minutes before commencement of market trading.

Stallholder's vehicles can enter the market to pack up only after the organisers have removed the market barriers, or otherwise signaled that vehicle access is appropriate.

Stallholders must have packed up and left the Markets area by the following times:

- (a) Willows 11.30 am
- (b) Cotters 2.30pm
- (c) Strand 11.30 pm

BOOKINGS

A potential stallholder may book a site and attend the Markets if he/she provides:

Contact name and phone number

Product information: Products must fall within the product rules and guidelines.

If requested, evidence of Public liability insurance (Certificate of Currency number must be given).

INSURANCE

All stallholders must be covered by a public liability insurance policy.

LICENSES & PERMITS:

The stallholder must obtain all necessary licenses and approvals required by local, state and federal government to operate their stall e.g. food handlers license for selling cakes prior to participating in the market. The stallholder shall comply with the conditions of that license or approval at all times. The license or approval does not confer any greater rights to trade than are provided in the markets rules and guidelines. The stallholder must produce a copy of the license or approval for inspection by the Markets Co-ordinator on request, or by an authorized Council or government inspector.

DAMAGE

Stallholders are to accept responsibility and pay for any damage they cause to any infrastructure, or the property of person of any person within the Markets area.

NEW STALLHOLDERS

New stallholders need to book stalls through the Call Centre by 3pm Friday for trading at either of the Sunday markets, or 2 weeks before trading at the Strand night market. They will be advised of site number if there is a site available for them. New stallholders are classed as Casuals until they have attended four consecutive markets. During this time they can be allocated any available site.

REGULAR STALLHOLDERS

After attending for four consecutive weeks, and subject to satisfactory performance, a casual stallholder may apply to become a Regular Stallholder. Regular stallholders are entitled to have the same site allocated to them every markets. Regulars and will be allocated a regular site when one becomes available.

If a regular stallholder site becomes unavailable, then a new site will be allocated when one becomes available.

RETURNING STALLHOLDERS

If a Regular stallholder leaves the market for an extended time (ie greater than 8 weeks), they will be classed as Casuals if they return and may not be allocated the same site as when they were Regulars.

REGULAR WEEKLY OR FORTNIGHTLY STALLHOLDERS

Regular and returning casual stallholders will confirm their attendance at the following week / fortnight market with the market co-ordinator at the market. Regulars are able to take breaks totaling up to eight weeks per calendar year by filling out holiday forms, and will be allocated their old site on their return.

CANCELLATIONS

Stallholders unable to attend the markets must notify the Call Centre (mobile or SMS: 0417 721 822) as soon as possible, but no later than the commencement of the Markets to allow their site to be reallocated. Cancellations may be made to the call centre during opening hours, or by leaving a voicemail message. Cancellations may also be made by Email to Bookings@townsvillerotarymarkets.com.au during business hours.

FAILURE TO ATTEND

Regular stallholders who fail to attend two consecutive markets and who have not notified the Call Centre will lose their regular booking and will need to rebook. Such stallholders will resume with Casual status and will not resume Regular status until they have attended four consecutive markets.

All stalls must be set up and ready to trade by the commencement of trading hours, and must operate until close of trading hours.

If a stallholder has not arrived to claim their site at least half an hour before the commencement of the markets, their booking will be cancelled, and their site may be reallocated to another stallholder.

PAYMENT OF FEES

For Willows and Cotters markets payments must be made in cash or cheque payable to "The Rotary Club of Thuringowa Central" during the actual markets when a Rotary Volunteer comes to collect it. Stallholders are required to ensure their site fees are paid in full.

Payment for the Strand markets must be made at least 14 days in advance. This can be by either cash or cheque (payable to Rotary Club of Thuringowa Central) at the previous market or presented in person to the Markets Administration (call the Call Centre number to make arrangements), or by Direct Deposit to Rotary Club of Thuringowa Central Westpac Account BSB # 034212 Account # 354105 with the surname of the stallholder as the reference. Cheques may also be posted to Rotary Club of Thuringowa Central, PO Box 1370, Thuringowa Central, Qld 4817. If a cheque is posted, or a Direct Debit made, a receipt will be issued on the day of the Markets. If payments are not received by the due date, the stallholder booking will be cancelled.

Receipt for site fees must at all times be retained at the stall and must be produced on demand for inspection.

SAUSAGE SIZZLES

Sausage sizzles shall be limited to one site only at each Sunday market, is free of charge, and is subject to special consideration i.e. charitable or special events/provisions

PRODUCT RULES AND GUIDELINES

Products are permitted to sale unless they are specifically excluded.

Excluded Products

The following items are prohibited from sale:

Firearms, ammunition, knives or similar instruments prohibited by law

Fireworks or other explosives

Drugs, drug aids, drug apparatus, and drug literature (including clothing that depicts drug messages and scenes)

Alcohol for consumption at the markets except small amounts for tasting

Pornography, indecent or offensive material

Racist or materials inciting hatred

Goods which infringe any copyright, registered trade mark or registered design

Bric-a-Brac; 2nd hand products (Books/CDs/DVDs/recycled artwork - an exception at the Market Director's (MD) discretion)

The Market Director's decision on suitable products will be final.

Special exclusions at Willows Rotary Markets

Ice-cream, Coffee, Pets, Live animals, Birds, and any product that is in conflict with Willows Sunday Traders

EXCLUSIVITY

No stallholder will have exclusive rights to a product.

TRADING AT MARKETS

The Markets Administration (Rotary Club of Thuringowa Central) has the right to cancel or relocate the operation of the markets for any reason.

Reasonable steps to notify stallholders prior to trading will be made.

INDEMNITY AND INSURANCE

Food vendors and operators of rides must comply with the current requirements of Risk Management and Health Services. Evidence of compliance must be provided on request to the Markets Co-ordinator.

By participating in the Markets a stallholder agrees to indemnify the Rotary Club of Thuringowa Central and the Townsville City Council against any liability that arises in any way from the stallholder's activity, except where that liability is the result of negligence by the Rotary Club of Thuringowa Central & its volunteers, or of the Townsville City Council.

WITHDRAWAL OF PERMISSION TO TRADE

The Markets Director, the Markets Coordinator, or the Markets Operations Manager may withdraw permission to trade in the markets from any person whom it considers has breached the terms and conditions of the markets guidelines, the Code of Conduct or any relevant law. No

person who has been refused admission or had permission to trade revoked may enter the markets for the purpose of trading. Any person doing so may be prosecuted.

The Markets Director or his delegate may at their discretion

- (a) immediately suspend permission to trade
- (b) issue a warning
- (c) issue a Show Cause Notice

ISSUING WARNINGS AND SHOW CAUSE NOTICES

The Markets Co-ordinator may issue a stallholder with a warning, or a Show Cause Notice if the Co-ordinator considers that the stallholder is not complying with the Market Rules or the Code of Conduct. A Show Cause notice is an invitation to the stallholder to show why his permission to trade should not be suspended.

A Show Cause notice should be issued in writing but may be issued verbally. The Markets Co-ordinator must confirm a verbal Show Cause in writing within 5 working days. If this is not confirmed in writing the verbal Show Cause notice ceases to have effect.

SHOW CAUSE NOTICES

A Show Cause Notice is an opportunity for a stallholder to show why his or her permission to trade at the Markets should not be suspended. A stallholder who has received a Show Cause notice must either immediately: comply with the rules of the Market and the Code of Conduct, or cease trading, but must not without the approval of the Co-ordinator remove their stall until the conclusion of the market.

WITHDRAWAL OF A SHOW CAUSE NOTICE

A stallholder who receives a Show Cause notice may respond in writing to explain why his or her permission to trade should not be suspended. The response should outline the facts and circumstances detailing why the permission to trade should not be withdrawn.

If the stallholder wishes to make a verbal submission, he/she must provide a telephone number where the stallholder can be contacted in order to arrange an appointment for the stallholder with Markets Director to hear the submission.

The response must be lodged no later than seven days after the written Show Cause notice was issued.

Within 28 days of receiving the request and after considering the stallholder's submissions the Markets Director must give the stallholder written notice about permission to trade will or will not be withdrawn.

APPEAL PROCESSES

A stallholder who has been suspended may appeal the suspension to the Rotary Markets Complaints Officer, who will review the matter and make a recommendation to the Markets Director whether or not the suspension should be withdrawn, or the term of the suspension changed.

The Complaints Officer will take into account the circumstances of the issue, and whether or not the issue is likely to recur.

COMMUNICATION WITH STALLHOLDERS

Markets Administration will communicate to all regular stallholders any changes to the markets program through a newsletter, verbal communication by the Co-ordinator during trading

BEHAVIOUR

All stallholders are required to adhere to the Townsville Rotary Markets Code of Conduct.

COMPLAINTS

If a stallholder wishes to make a complaint they should discuss the problem with the Markets Coordinator of the day to see if an amicable resolution is able to be immediately effected.

If this is not possible or does not satisfy the complainant and they wish to take the matter further, the complaint must be put in writing and should include the complainant's name, address and phone number and handed to the Markets Coordinator or sent to Markets Administration to be dealt with in accordance with the complaints handling procedure. The same would apply if a customer or a volunteer wishes to make a complaint. The complainant's identity will be kept confidential.

SITE BOUNDARIES

Site boundaries are marked, or if not marked, are as per the plan of the markets.

Stallholders are to operate wholly within the boundaries of their site markings. If a trader operates outside their site boundaries, they are required to pay additional site fees.

MARKET BOUNDARIES

The market boundaries will be roped off where appropriate during trading hours to provide a safe area for all. These boundaries will be removed at the end of trading by the Rotary Volunteers (not stallholders).

SMOKING

Stallholders are not permitted to smoke within the Markets Area.

CANCELLATION OF MARKET

The market will only be cancelled in the event of conditions judged as dangerous to persons or property by the Markets Director. It will normally include cyclone warnings, or any other force majeure. A message will be left on the mobile phone 0417 721 822 stating as to whether the markets are being held or are cancelled. The Strand Market will be cancelled in the event of bad weather to avoid damage to the park.

If the markets are cancelled no person is allowed to trade on that day. After a market cancellation confirmation of attendance is required for the following week or fortnight, through the call center.

SITE FEES

Willows Market

Site Type Size Fee

Standard Single car space \$20

Large Disabled car space \$25

Walkway Single car space \$25

Premium site- End rows and top of rows \$25

Cotters Market

Site Type Size Fee

All \$20

Strand Market

Site Type Size Fee

Standard \$35

Premium \$45

Special Food POA

ADDITIONAL ITEMS FOR HIRE (Willows only)

Table (each) - \$5

Power (per socket) - \$3 (also available at Cotters)

Umbrella (each) - \$5

TABLE AND UMBRELLA HIRE (Willows only)

Tables and umbrellas (items) are available for hire for Casual stallholders and must be booked through the call center at the time of booking their site. Any spare items may be hired by regular stallholders.

Stallholders should be aware that there are limited numbers and priority will be given to those who have booked. The stallholder is liable for any damage to items in their care.

POWERED SITES

Vendors requiring powered sites must ensure that their power leads are off the ground and do not endanger the safety of themselves or other persons at the markets. All electrical items must be tested and tagged and may be inspected by a Rotary Volunteer.

ROTARY INFORMATION SITE

At least one of the Rotary Volunteers can normally be found at the Rotary Information Site whilst the market is in operation. Go to the tent for first aid, assistance in locating missing people, lost property, enquiries, stall locations and to lodge an incident report or register a complaint.

CHARITY STALLS

A number of stalls may be available each week free of charge to charities and not for profit organisations.

These sites are available 3 free times per year per market per organisation (or at Market Directors discretion).

An eligible organization would be a charity as defined by the Australian Tax Office, community service club, church or religious organization, aged care provider, sporting club, environmental support organization, cultural group, senior citizen's / men's / women's / youth group, school, or any other special interest group like craft, stamps, book club, chess club etc.

It excludes organizations that are set up for commercial, political, lobbying or promotional activities.

STALL SECURITY

Do not leave your stall or valuables unattended at anytime. There have been occasions when items have disappeared and we do not accept responsibility for the security of stallholders' goods or valuables.

BUSKING

Busking is permitted in the Markets, provided that permission has previously been obtained from the Markets Coordinator or the Markets Operations Manager. If busking occurs without such permission, the busker will be directed to cease busking.

ANIMALS

Stallholders are not permitted to bring pets to the market.

AMENDMENTS TO MARKETS RULES

The Markets administration reserves the right to introduce new rules and amend rules as required to improve the operation of the markets

Code of Conduct- Townsville Rotary Markets

- Respect
- All markets participants must show respect for all other participants at the Markets, including members of the public, stallholders, volunteers and Council staff.
- Honesty
- All markets participants must behave with honesty, integrity and openness.
- Professionalism
- Stallholders, volunteers and Council staff must behave with a high level of professionalism.
- Drugs and Alcohol
- Stallholders, volunteers and Council staff must not attend the Markets under the influence of drugs or alcohol.
- Smoking
- Smoking is not permitted within the Markets area.
- Accepting Direction
- All market participants must accept and follow lawful direction from the Markets Coordinator.
- Acting in the interests of the markets
- Market participants are required to act in the interests of the markets, including not generating negative publicity.
- Rumours
- Market participants must not create or circulate rumours that they do not know to be true.
- Behaviour
- Market participants must not behave in a manner likely to cause distress, disturbance, inconvenience, damage or harm to any other person present at the Market;
- Cooperation
- All market participants must cooperate with each other in the setting up, operation, implementing procedures and pull down in an efficient manner.
- Markets rules or guidelines
- All market participants must follow the Markets Rules.
- Surveys, petitions, and written notices
- Market participants must not conduct a survey or circulate a petition or any other written material to stallholders, or the general public, without prior written from the Markets Co-ordinator.
- Tolerance
- Stallholders must show tolerance and make concessions to each other, particularly in setting up and packing up the markets.
- Animals
- Stallholders and volunteers are asked not to bring pets to the market.
- Customer relations
- Stallholders, volunteers, and Council staff must present a pleasant experience for the public attending the Markets. Disagreements between stallholders, volunteers and Council staff are not to be publicly aired.
- Safety
- All market participants are responsible for safety, and must take action to ensure an unsafe condition or behaviour is rectified.
- Illegal or unconscionable trading conduct

- Market participants must not participate in illegal or unconscionable trading, as defined in the Trade Practices Act.
- Misleading advertising
- Market participants must not participate in misleading advertising.
- Conduct not meeting community standards
- Market participants must not participate in inappropriate conduct not meeting community standards.
- Defamatory conduct
- Market participants must not participate in defamatory conduct.
- Conduct bringing Markets into disrepute
- Market participants must not participate in conduct that brings the Markets into disrepute.