



Kingsbury Drive Community Market

MARKET STALLHOLDERS TERMS & CONDITIONS

DIAMOND VALLEY
community support



Shop 378a Level 3 Greensborough
Plaza Greensborough 3088
Tel: 03 9435 8282
Email: info@dvsupport.org.au
Web: www.dvsupport.org.au

The Kingsbury Drive Community Market is managed by Diamond Valley Community Support Inc. (DVCS) under the agreement with La Trobe University, and within other legislation, rules and regulations relating to the operation of community markets.

Market address is: Car Park 2,
La Trobe University - Bundoora Campus
Kingsbury Drive
Bundoora 3086
Market Phone is: 0484 938264
Market Email is: dvcsmarkets@dvsupport.org.au
Market Website is: www.dvcsmarkets.com.au

1. Securing a Stall Booking

- Application for a stall site should be made via the DVCS Market website www.dvcsmarkets.com.au
- Once your application has been approved, you will be eligible to apply for market dates.
- Before making an application for a stall, please read **this** "Stall Holder Policies & Procedure" document to ensure you qualify to apply. It is a condition of acceptance as a stallholder that you have read, are familiar with and agree to all the conditions of this document.
- To help create variety, to assist with existing booked stallholder viability and to make best use of the limited space available, limits and restrictions may apply on any market day. Not all products or services are accepted, this is at the market managers discretion.
- Any required or relevant documents must be lodged with market management prior to confirmation of booking.
- Market stall site bookings are not confirmed until payment in full has been made.
- A stallholder can be considered a "Permanent Stallholder" if they regularly book, pay in advance and reliably attend their markets as arranged. This results in regular site location and is decided by the market manager.

2. Market Stallholder Operating Times

Arrival time: 7:00am (positions cannot be guaranteed after 8:00am)
Set up time: 7:00am – 7:45am
Pack Up time: 1:00pm – 2:00pm (all Stall Holder sites must be vacated by 2:00pm)
Stallholders must not move any vehicles within the market area between 7:45 am and 1:00 pm without market management approval.

3. Sites and Fees

The fees per canopy site are as follows:

Canopy frontage/size:	Per market charge
3m x 3m	\$50
4.5m x 3m	\$75
6m x 3m	\$100

(note: for all permanent stallholders if stall fee is paid 30 days in advance of market day a 10% discount automatically applies within our online booking system.

9m x 3m canopy space = \$100 will only be offered to existing 8.4m and 9m stallholders.

(note: no early payment discount applies)

- Casual stallholders will only be able to book spots by 3mx3m units (so 6m and 9m) and will pay \$50 per unit with no early payment discount.
- All sites and sizes are limited to availability within the existing permanent stalls.
- All fees quoted are inclusive of GST.
- Fees are reviewed and updated on a regular notice and stall holders will be given at least two months' notice of any rise in fees.
- DVCS has a non-exclusive license with the La Trobe University to use the carparks 1 & 2, and as such, specific site allocations cannot be guaranteed on any one day.

4. Size of Stall Site and Structures

- Size of the market sites relates to the canopy frontage width. There may not be a carpark space situated behind the canopy/gazebo space. Any vehicles on site must be aligned in such a way as to not intrude into, or interfere with, the nearby sites.
- ALL tents, marquees, umbrellas, and other temporary structures, must fit within the boundary of the booked site. All structures **must** have a **minimum of 10kg securely attached to the bottom of each-and-every leg**. Some areas/categories may require an increase in this weight requirement. All guy ropes, and any attachment to a vehicle, must sit within your allocated stall site and is not a substitute but considered added security. Electrical ties or “ocky” type straps or such elastic ropes are not acceptable.
- Our Market Staff will be on site throughout the market and will inspect all structures.
- If for any reason a structure is deemed unsafe or not compliant to our required policy, the Management has the authority to insist that it is instantly dismantled. These reasons may include: installation method, structure material and/or overall suitability to the prevailing outdoor conditions. The decision of the Market Management shall be final.

5. Products and Services

- Products and Services presented at the market should be of a considered ‘reasonable’ standard. Market staff reserves the right to refuse products of a Stall Holder whose products or services are considered not up to standard, illegal or counterfeit.
- Activities by an individual or groups representing or lobbying for local, state or federal political interest, any religious interest, or any community or social issue considered of possible contention, are prohibited.
- To ensure diversity, there may be a quota on types of goods or services sold at the market. This is decided at the Market Managers discretion.
- Stall Holders cannot sell products other than those agreed upon as part of the booking procedure.
- No smoking paraphernalia, weapons, drugs etc. are permitted for sale.
- No alcohol is permitted to be served as a general rule. With correct and current licensing, samples can be provided to customers.
- **BUSKERS** – and other entertainers are treated as stallholders, regardless of whether payment is required.
- **COMMUNITY & N.F.P GROUPS** – are treated as stallholders regardless of whether payment is required.

6. Second Hand Goods

- Sale of second hand 240volt electrical items is prohibited.
- A Secondhand Dealers license may be required and, if so, must be available upon request and updated annually. Some goods are exempt. Check with: www.consumer.vic.gov.au

7. On the Day

- Set up from 7:00am.
- Entry point is the pedestrian crossing in the centre of the market site front row.
- Wait for instructions from the Market Staff before entry.
- Stall Holders must be the person whose name the booking is registered to and provide evidence if asked.
- No moving vehicles are permitted on site between 7:45am and 1:00pm (except in the case of an emergency, or by approval of the Market Manager and under Market staff supervision).
- Trading should be completed by 1:00pm with all vehicles removed by 2:00pm.

8. Attendance

- As the market is an outdoor all-weather market, all Stall Holders are expected to provide suitable weather protection to enable them to trade regardless of conditions on the day.
- Stallholders who do not attend a booked market may have their right to make bookings revoked.
- Having a reliable group of stallholders who attend regardless of time of year, weather conditions, or occurring public events, ensures our visitors will not be disappointed at any market.
- On a day that is forecast for extreme heat, or wind and rain, the market manager will decide if this is a day that stallholders have the option to leave early. An announcement will be published on the Facebook by 10am, advising visitors that due to the weather conditions, stallholders have the option to leave after 11:30am.

9. Stall Booking Payments

- A stall is not considered as being booked until payment has been made in full.
- Any number of markets can be booked and paid for at a time, subject to booking system approval.

10. Payment Methods

ONLINE BOOKING AND PAYMENT PORTAL – <https://sitetrak.com.au/home.asp?c=DVCS%20Inc>

11. Refunds and Credits

- Stallholders will receive a credit on their next market only if a market is closed by DVCS Market management due to dangerous weather or CHO (Cancellation of the Market) .
- In all other instances there will be NO REFUND or credit of fees permitted.

12. Table Hire

- A limited number of tables are available for hire. Tables are folding white plastic, 1420mmx700mm, and are for emergency rather than regular use.
- Table Hire = \$10 (at the time of booking) plus a \$50 cash deposit per table, paid on the day.
- The deposit will be refunded once the table is returned in good condition.

13. Insurance

All Stall Holders must hold current Motor Vehicle Insurance and may be required to have their own Public & Product Liability Insurance, depending on products or services being offered.

a. Motor Vehicle Insurance

All Stall Holders must have Motor Vehicle insurance to be eligible to enter the market area, including:

- A minimum of Third Party Property Damage Insurance for an amount of not less than \$10,000,000; and
- Third Party Bodily Injury insurance.

b. Public and Product Liability Insurance

- Public Liability of at least \$20,000,000
- Product Liability of \$20,000,000
- A current "Certificate of Currency" document must be lodged with DVCS.

14. Scheduled Closures of the Market

- The market is closed over the Christmas / New Year break and in August if the La Trobe University schedule an Open Day. Closure dates will be advised on all social media.
- DVCS has a non-exclusive license with the La Trobe University to use the carparks 1 & 2, and as such, specific site allocations cannot be guaranteed on any one day.

15. Cancellation of the Market

- The market may be cancelled if, at the discretion of the Market Manager, the weather is considered to create a safety risk on the market site. This will include, but is not limited to extreme rain, extreme wind and extreme heat, or any Community Health Orders.
- If the market is closed, trade will immediately cease. If trade has not commenced for that day stallholders will not be permitted to set up.
- Failure to comply with directions from market staff regarding the closure will result in a ban on attending future markets.
- Stallholders will receive a credit for the lost market in future bookings.

16. Rubbish

- All Stall Holders are required to stow and remove all their rubbish from sites at the end of the day and ensure that it is left clean and tidy. This includes boxes, packaging, stall products and food containers.
- A limited number of rubbish bins are made available for the shopping public's use; however these bins are not available for rubbish generated as a result of stallholder trading activity.
- Under no circumstances are food related items; in particular, scraps, oils etc., to be placed in the bins.

17. Food Stalls

- Stall Holders selling food or food products (e.g. cakes, drink, meat products, confectionary, etc.) must hold a current Streatrader Registration from their local council and lodge a copy with DVCS. A statement of trade is required to be lodged for each market attended prior to market day.
- All Food Stalls must lodge a current copy of their "Certificate of Currency".
- Food vendor sites, location and requirements must meet all OH&S standards, food handling regulations, and be considerate of other traders and public amenity. The Market Managers determination on these issues is final.
- Food Stall Holders must supply their own required safety equipment i.e. fire extinguisher and fire blanket for use on the day.
- Food vendors are required to ensure they are compliant with all food handling regulations and provide all required safety equipment. e.g., washing facilities, fire blankets and extinguishers etc.
- ***ALL Food Stall Holders must supply a suitable rubbish bin for customers and remove all their own rubbish from the site. Their site must be left clean.***

18. Health and Safety

The whole of the La Trobe University property and Kingsbury Drive Community Market is a smoke free environment.

- **Manual Handling** - All stallholders must observe correct and safe manual handling procedures. This includes the use of trolleys to move heavy items.
- **Food Safety** - All stallholders selling and preparing food should have the appropriate food handling qualifications.
- **LPG Gas** - Stallholders using LPG Gas Cylinders must maintain their equipment to an appropriate standard. Connections and leads must be checked during setup.
- **Generators** - All generators must be operated in a manner according to manufacturer's requirements. Disturbance or interference with the activities of other stalls and patrons due to the sound or fumes of generators should be minimized. Locations for generators are restricted.
- **Leads** - All electrical leads must be checked during set up. They must be in good order and be correctly plugged in. Leads should not protrude into areas where customers may have access. Where leads may be exposed as a potential trip hazard, they must be covered with suitable matting. All leads must be "test and tag" compliant.

19. General Terms and Disputes/Complaints:

- DVCS reserves the right to refuse a stallholder the opportunity to operate a stall at the market if the Stall Holder does not comply with DVCS Policies and Procedures.
- There must be no actions that result in damage to the land, property or infrastructure. Any repairs will be at the cost of the stallholder.
- Stall Holders must comply with all relevant laws and any requirement of any authority including City of Nillumbik and DVCS in connection with the Market and the use of the stall sites.
- Stall Holders must behave respectfully towards others, including market staff. Abusive language or offensive behavior will not be tolerated at any time.
- Stall Holders should not knowingly sell goods that are offensive, illegal or goods believed to be illegally obtained.
- Tobacco or e-cigarettes must not be sold at the market.
- Alcohol must not be served at the market and cannot be sold without Market Managers approval and appropriate licensees.
- Stallholders are not permitted to bring animals with them to the market without approval from market management.
- All decisions made by the Market Manager must be complied with on the day.
- These Policies and Procedures may be amended from time to time at the sole discretion of DVCS including the addition, deletion or variation of terms and conditions.
- Where DVCS amends the Policies and Procedures it will post them on its website within a reasonable time. Stallholders will be deemed to have agreed to the amendments by continuing to maintain a stall at the Market or by a signed acknowledgement as and if required.
- All complaints (consumer or Stall Holder) must be raised with the Market Manager for discussion and resolution in the first instance. If a resolution cannot be achieved on the day, the Stall Holder or consumer must contact the Executive Officer (EO) - (DVCS) in writing as soon as possible.

Diamond Valley Community Support Inc.
Shop 378a, Level 3, Greensborough Plaza
Greensborough 3088
Fax: 9435 8282
Email: eo@dvsupport.org.au

The EO will try to resolve the issue, and if necessary may refer it to the DVCS Committee of Management, following the Grievance Procedure.