

Newtown Neighbourhood Centre

# Newtown Market

## **Terms & Conditions**

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## 1. Introduction

Thank you for your interest in Newtown Market. The Market is held every Saturday in Newtown Square between 10am and 4pm. From time to time, special additional markets may be scheduled on Sundays and some Saturdays may be cancelled (eg. the Saturdays between Christmas and the first week in January).

Newtown Market is organised by Newtown Neighbourhood Centre (NNC) to raise funds for the community support programs of the Centre. The Market seeks to add vibrancy to Newtown's existing retail precinct and to offer local artists and craftspeople a high profile location to promote and sell their unique creations.

## 2. About these Terms & Conditions

It is the responsibility of all stallholders to read these Terms and Conditions carefully. It is assumed that when a stallholder books a stall at the market, the stallholder has read and agreed to these Terms & Conditions.

These Terms and Conditions may change from time to time and when they do, the Market Coordinator will provide 14 days notice of any changes and from the set date, it is assumed that stallholders acknowledge and accept the new Terms & Conditions.

## 3. Booking and Paying

- Site fees and category discounts are listed online.
- Stall fees will be reviewed periodically.
- Stall fees are non-refundable except as detailed in the Refunds section.
- Payment for a stall must be made in advance of the market day
- Any stallholder who has money outstanding will not be able to trade until their debt is cleared.

## 4. Stallholder Eligibility Criteria

To book a stall at Newtown Market you must:

- Have own (Certificate of Currency required) or purchase from NNC, public liability insurance of at least \$10 million for general traders.
- Not sell any "Unacceptable" items – Unacceptable items include electrical goods, offensive, illegal, prohibited, counterfeit or unauthorised goods, items and services of an 'adult' nature, goods associated with the illegal use of drugs, items not in accordance with the relevant Australian Standards and other items notified by the Market Coordinator to a Stallholder from time to time.
- If you are a **food trader**:
  - All pre-packaged food for sale must be prepared and packaged in accordance with the requirements of the NSW Food Authority

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- Hold a Food Safety Supervisors certificate
- Comply with all relevant food safety and health regulations for NSW.
- If you are a **hot food** trader you must hold **\$20 million** in public liability insurance
- If booking a **hand-made site**, your goods must be 100% handmade in Australia
- If booking a **garage sale** site you must:
  - Be a local resident within 5km of NNC (proof required) and
  - Can only book once at this rate per year

You will not be able to trade if you do not meet the above eligibility criteria. You will receive an email and any booking fee will be refunded within seven days.

### 5. Confirmation and Waiting Lists

Eligible stalls will be allocated each week at the discretion of the Market Coordinator on the following basis:

- Priority will be given to locally made or hand crafted products and services or local businesses.
- Newtown Market is capped at two hot food vendors with the exception of pre-packaged food such as biscuits, jams and preserves. Priority in the allocation of stalls is as follows:
  - Local residents and businesses
  - Degree to which produce is self-made
  - Degree of artistic merit

You will be notified by email if your application is successful. If you are not allocated a stall, you may be invited to join our Waiting List. Invitations are at the discretion of the Market Coordinator and will depend on quotas, existing stallholders and availability. Your stall allocation and loading details will be provided by 2pm the day before the market by email.

### 6. Refunds

Refunds will not be given and invoices will remain payable except where:

- NNC:
  - cancels the market due to dangerous weather conditions
  - cancels due to operational issues
- You, the stallholder:
  - Cancels by email no later than 10am the Tuesday prior to the booked market date
  - Are a food trader, in which case you must cancel before 10:00am Friday, the day before the booked market date.

## 7. Trading Hours, Bump in and Bump out

### Trading Hours

- Trading hours are between 10am and 4pm, and from time to time extended hours as notified by the Market Coordinator.
- All stalls must be setup and ready to trade by 10am. All stock must be completely off the site by 6pm at the very latest. Stallholders still on-site after 6pm will be invoiced a \$50 penalty.
- Stallholders will be notified by the Market Coordinator of their stall allocation number and bump-in and bump-out times by 2pm the day before the market.
- No sharing of stall sites without the express approval of the Market Coordinator
- Stallholders who fail to occupy their allocated stall by 10am may forfeit their stall booking. The Market Coordinator has the right to allocate the site to another stallholder. The stallholder will not be entitled to a refund of stall fees.

### Bump In

Market setup commences at 7:30am. To meet council requirements and reduce congestion on-site, bump-in will be carefully coordinated:

- 2x1m small traders and garage sale traders are required to park legally nearby and walk their stock to their site. A trolley may be available from the Market Coordinator onsite if required and subject to availability
- Larger traders with substantial stock, will be allocated a load in time between 7:30-9:30am. If this time is missed, you will be required to park legally nearby and walk your stock in. A trolley may be available from the Market Coordinator onsite if required and subject to availability.

### Bump Out

Bump Out commences at 4pm. To meet council requirements and reduce congestion on-site, bump-in will be carefully coordinated:

- 2x1m small traders and garage sale traders are required to walk their stock to their legally parked vehicle. A trolley may be available from the Market Coordinator onsite if required and subject to availability
- Larger traders with substantial stock, will be allocated a load out time between 4:00-5:30pm. If this time is missed, you will be required to walk your stock to your legally parked vehicle. A trolley may be available from the Market Coordinator onsite if required and subject to availability.

## 8. Stall Sizes/ Structures/Locations/Safety Compliance

Stallholders must set up their stall site as directed by the Market Coordinator and in accordance with the following:

### Stall Site

- Stallholders must confine their site structures, displays and merchandise within their allocated site.

- No goods or any part of the stall is permitted in the garden beds.
- Stallholders do not have the right to an ongoing future allocation or claim of a stall site in a particular location, however they may request particular locations on the Market Site.
- Applications for extra space at the Market must be made at least three days before market day. It is the Market Coordinator's discretion as to whether this extra space is able to be provided. An additional stall fee will be applied to the allocation of extra space provided to the Stallholder.

### **Equipment and Safety**

- Stallholders are required to supply all equipment necessary for their stall setup and operation. With the exception of any tables/chairs hired from NNC at the time of booking.
- Stallholders must ensure that all equipment brought onto the market site is in a clean and tidy condition and has been manufactured and erected in a safe manner.
- Stallholders must weigh down all temporary stalls/gazebos according to best practice (10-15 kg weights or similar on four corners of stall).
  - Racks and goods must be weighed down.
  - Mirrors must be firmly tied to the stall structure.
- If your stall is deemed unsafe by the Market Coordinator you must follow any safety instructions given. This may include but is not limited to;
  - dismantling your gazebo and/or removing the roof - if unweighted,
  - tying up mirrors,
  - weighting down racks and
  - removing any trip hazards.

Stall structures will be checked each week for compliance prior to being permitted to commence trading.

## **9. Products and Services**

- Stallholders may only sell or promote products at the Market that have been approved by the Market Coordinator. To vary the Approved Products, the Stallholder must obtain written permission before those products are sold at the Market.
- The Market Coordinator has the right to cancel a Stallholder's approval to occupy a stall at the Market if the merchandise offered for sale is substantially different from the Approved Product.
- The Market Coordinator and Newtown Neighbourhood Centre will not be held responsible for any loss of damage to stock, or any other damage or injury that occurs as a consequence of the Stallholder's presence at the Market.

## **10. Traffic Management**

To enable Newtown Market to meet council regulations, keep emergency access clear and ease of movement on site, the Market Coordinator will strictly enforce the following:

- Stallholder vehicles are only permitted onsite according to the allocated Bump in and Bump Out times and locations.

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- There is an emergency vehicle lane adjoining Newtown market, no vehicles are to be in this area at any time.
- Stallholders must abide by any instructions of the Market Coordinator or other market assistants regarding vehicle movement and parking in and around the public streets, and carparks in the immediate area of Newtown Community Market.
- Stallholders must comply with the allocated set up and pack down times as well as the allocated street from where they can unload their vehicle.
- Stallholders must not park illegally, block roadways, park in driveways, use or park in emergency roads or queue across traffic intersections or otherwise hinder traffic in the streets around the Market Site.
- Stallholders must observe and obey all general public parking regulations.

### 11. Noise and Electricity

- No electricity is provided at the Market.
  - Stallholders must not use any amplification device for sound and music on the Market Site.

### 12. Amenities

- Stallholders are entitled to use the toilet facilities of Newtown Neighbourhood Centre. To access the building, you will be provided an access code which will be provided the day before the market.
- Please note that members of the public are not able to use the toilet facilities of the Neighbourhood Centre.

### 13. Waste Management

At the end of the day stallholders must ensure that their site is clean and clear of rubbish.

Any stallholder found to be utilising Council or NNC's bins for the removal of their waste or who leave rubbish behind will be liable for a \$50 fine and will not be allowed to trade again at the Market until this fine has been paid.

### 14. Weather Conditions

Newtown Market is an all-weather market, and will operate irrespective of wet weather conditions. Stallholders are responsible for the supply of their own tarps, covers and other wet weather protection equipment.

The Market Coordinator and Newtown Neighbourhood Centre will not be held responsible for any loss or damage to stock, or any other damage or injury as a result of a Stallholder's decision to set up and trade. Stallholders who choose not to trade due to inclement weather will not be entitled to a refund of their site fees.

## 15. Market Cancellations

### Extreme Weather

The Market Coordinator may cancel the market at any time due to extreme weather conditions.

If the market is cancelled prior to 6:30am on the day of the market a full refund/credit will be given. If the market is cancelled after 6:30am due to deteriorating conditions on the day of the market a pro rata refund/credit will be given.

### Other

From time to time, Newtown Neighbourhood Centre may cancel a market due to other community events that need to take place or other logistical issues. The Market Coordinator will endeavour to give stallholders at least two weeks notice. Any fees will be credited/refunded.

## 16. Code of Conduct

Stallholders are required to observe the following:

- Conduct your activities at the market with the utmost safety. Do not endanger the safety or security of the general public, Market Coordinator, Market Assistants, or other Stallholders.
- Do not cause any damage, make alterations or adjustments to any element (buildings, steps, trees & shrubs etc) on the Market Site. You are responsible for any cost to make good or repair any damage which you or your staff or representatives may cause.
- Do not cause any damage, disturbance or obstruction to the property of NCM, neighbours and businesses.
- You must ensure that all Market activities are legal and do not cause offense, are not dangerous and do not cause a nuisance.
- You must respond to requests and instructions from the Market Coordinator in a timely and cooperative manner.
- You must notify the Market Coordinator of any injury sustained while trading at the Market.
- You are responsible for the safety of your staff members or representatives.
- Do not broadcast or play any music at the Market.
- You and your staff are required to treat all people with respect and courtesy at all times. Abusive or offensive language and behaviour will not be tolerated.
- No smoking or alcohol is allowed on-site.
- The Stallholder hereby indemnifies and holds the Market Coordinator, Newtown Neighbourhood Centre Inc and its Authorised Employees and Representatives harmless against any claims for loss, damage or death arising in connection with the Stallholder occupation of a stall site at Newtown Market.

## 17. Grievance Procedure



Stallholders are able to raise any concerns they may have about the market with the Market Coordinator. If a grievance arises between stallholders and they are unable to resolve it themselves, the Market Coordinator may be consulted and will be the arbiter. All major grievances will be recorded and the Market Coordinator's decision will be conveyed in writing to the affected parties.

If a stallholder is concerned about an outcome, they may write to Julian Lee, Marketing and Engagement Manager, Newtown Neighbourhood Centre, seeking a review of the Market Coordinator's decision. In responding, he will take into account the individual grievance, a report from the Market Coordinator, any broader implications for the Market and the effective operation of the Market as a whole.

## 18. Market Coordinator's Rights and Representations

The Market Coordinator has the right to:

- Withhold consent for a person or persons to trade at the market.
- Remove a Stallholder who does not comply with these Terms and Conditions.
- Terminate consent to a Stallholder to trade at the market in writing and without any period of notice.
- Reallocate a stall site within the Market to a Stallholder without notice.
- Require the Stallholder to remove from sale any products that have not had prior approval by the Market Coordinator.
- Request the Stallholder to cease Trading Activity until all stall safety requirements are complied with.
- Refuse a Stallholder the right to trade at the Market if the Stallholder has sublet the stall site.
- Refuse a Stallholder the right to trade at the Market if the Stallholder is anyone other than the person who made application for a stall or who has not been given prior approval to trade at the Market by the Market Coordinator.
- Reallocate a stall site where a Stallholder has not presented at the specified set up time.
- The management of each market will be the responsibility of the Market Co-ordinator in accordance to the conditions. The Market Coordinator, through its appointed authorised employee, shall ensure that the conduct of the Market, all stallholders, charity workers and voluntary workers, is at all times in accordance with the provisions and the requirements of all relative Legislations, Acts and Ordinances.

## 19. Contact Details and Office Hours

The Market Coordinator is a part-time position you can make contact on the details below and will be responded to as soon as possible.

Office telephone	(02) 9564 7317
Email enquiries should be made to	<a href="mailto:market@newtowncentre.org">market@newtowncentre.org</a>
Postal Address	Newtown Community Market c/- Newtown Neighbourhood Centre Inc PO Box 19 Newtown NSW 2042

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Street Address

1 Bedford Street  
Newtown NSW 2042

Website

[www.newtowncentre.org](http://www.newtowncentre.org)