

Batemans Bay Rotary Sunday Market

Terms and Conditions

Updated 01.10.2020

Email: rbbsundaymarket@gmail.com

Phone: 0491 117 838

Website: www.batemansbaysundaymarket.com.au

1. Batemans Bay Sunday Market

The Rotary Batemans Bay Sunday Market is held on the THIRD SUNDAY OF THE MONTH at Corrigan's Beach Reserve, Beach Road, Batehaven. Some additional Sunday Markets may be organised during the year for school holidays etc. Stall holders requesting a site at the Batemans Bay Rotary Sunday Market need to apply to the Market Manager by email or phone before the market.

To apply go to our website www.batemansbaysundaymarket.com.au and send an email from the 'Contact Us' section. Alternatively, please phone 0491 117 838 or send an email to rbbsundaymarket@gmail.com.

Three site sizes are available: 4m x 4m; 5m x 4m or 6m x 4m. Sites can be combined into larger (longer) sites if required. The final allocation of sites is at the Market Manager's discretion and the Market Manager reserves the right to refuse an application for a site.

All individual stall holders must have current public liability insurance and are required to provide evidence (a Certificate of Currency) to the Market Manager or to purchase a one-day cover from the market manager for that market day at \$10 per market. See Section 8 below for more information.

All stall holders who sell food items are strongly advised to hold and display a current 'Safe Food Handlers' Certificate' (search for 'food safety training program' on the Eurobodalla Shire Council website for the free course) as a minimum.

All individual stall holders where appropriate or where required (e.g. food sellers) shall ensure that they hold **product** liability insurance in addition to public liability insurance and are licensed or registered to carry out the activity authorised or to sell the goods they offer for sale.

All individual stall holders shall ensure that they take every precaution to ensure the health and safety of the public, other stall holders and the organisers when within their stall site. All stall holders must leave their site in a clean and tidy condition at the end of the market.

All individual stall holders give their consent for images of them, their products and their stall to be used for promotional purposes by Batemans Bay Rotary, in printed materials, on the market website or in other publicity.

All individual stall holders agree to indemnify and to keep indemnified Batemans Bay Rotary Club Inc and Eurobodalla Shire Council, its servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the Rotary Sunday Market.

2. Hours of Operation

Stall holders can enter the Batemans Bay Rotary Sunday Market site from 6.30am on market days, must be booked in at the gate by 8.00am and have their stall set up and vehicles removed from the site by 8.30am.

The market is open to the public from 9.00am to 1.00pm on market days.

3. Booking a Site

Temporary or Casual Sites

A **Temporary Site** is one which is booked for one market only. Please:

- send an **email request** to the Market Manager at least 48 hours prior to the requested market day. You should use the website to send us an email – click the links in *Contact Us*
- provide your (1) name, (2) mobile phone number, (3) site requirements (double, single, do you need power?) (4) description of items you are selling, and (5) whether or not you have your own public liability insurance
- if you have your own insurance, email a scanned copy or provide a hard copy to us at the market.

If you do not have access to the internet you may book a site on the phone number above (leave a message).

Your request for a site is for one market only and will be allocated on a first-in-first-served basis each month. Your site booking is not transferable to another stall holder. You cannot sublet your site.

As a casual you will need to book in for every market you want to attend. We cannot guarantee that you will get a particular site as most sites are permanent.

Please try to pre-book as sites are usually not available on the morning of the market.

Permanent Sites

Permanent site holders are those who:

1. have attended at least three consecutive Rotary Sunday Markets
2. have the intention of attending our market on a regular and frequent basis
3. have their site at every market pre-booked by the Market Manager at a reduced rate
4. are expected to attend or send an apology every month
5. must notify the market manager by phone, SMS or email by 10am Saturday if they cannot attend any particular market (emergencies excepted)
6. will be charged the site fee for their site if they do not attend or apologise each month
7. cannot transfer their site to another stall holder or have another seller on their site (sublet)
8. can add their personal profile and stall product information to the 'Meet our Stall Holders' section of our website if approved by the Market Manager.

4. Site Fees

Current 2020

Site Size	Permanent Site Holders	Temporary Site Holders
4m x 4m	\$25	\$30
5m x 4m	\$30	\$35
6m x 4m	\$35	\$40

Larger sites are available on request. The site fees for the Batemans Bay Sunday market will be reviewed periodically by the Market Manager.

5. Cancellations and Non-attendance

If you have booked a temporary or casual site and wish to cancel your booking, or if you are a permanent site holder and you are unable to attend any particular market, you must advise the Market Manager as soon as possible and before 10am on the day prior to the market by email, phone or SMS.

If you cancel your site booking after that time or you do not attend the market, your normal site fee for that day will be payable at the discretion of the Market Manager - except when the market is later cancelled by the Market Manager.

The Market Manager will send an email out to all stallholders on Saturday afternoon prior to the market to provide the latest weather forecast. If bad weather is likely this email will advise whether the market will proceed the following day. All stall holders are advised to check their email on Saturday night before the market for this latest information.

The Market Manager retains the right to cancel a Sunday Market at short notice due to adverse weather, a weather warning or any other significant adverse event.

If the weather changes adversely overnight, an email will be sent to all stallholders as early as possible on the morning of the market if the market is to be cancelled. The Market Manager will also be at the market site in the morning to advise those who missed the early morning email or you could send us an SMS to confirm if the market is on.

The Market Manager will not be responsible for any cost incurred or loss by any stall holder or any other person due to a market being cancelled.

Once a market has commenced at 9.00am the site fee is payable, even if the market is later cancelled due to deteriorating weather or any other factor.

6. No Smoking

For the comfort and safety of our customers and fellow stallholders, smoking is not allowed at the Rotary Sunday Market. Stall holders who wish to smoke must leave the market area. Their place at the market may be reviewed if they fail to comply with this request. Customers who are smoking will be advised by the Market Manager that our market is smoke free and they will be asked to leave the market area while smoking.

7. Dogs and Vehicles

Dogs and domestic pets are allowed on site provided they are kept on a leash and under the control of their owners at all times. The Market Manager will ask a person to leave the site if their dog causes any issues to the public or stall holders. The Council dog control officers will be called if the issues remain unresolved.

All cars, vehicles and trailers must be removed from the market grounds by 8.30am, unless the vehicle is a take away food van, refrigerated van or fruit and vegetable van, or unless the stall holder has a disability sticker and has been approved by the Market Manager to keep their vehicle on site.

No vehicles will be allowed back on site until the market closes at 1.00pm. Vehicles will be allowed on site before this time with the Market Manager's consent if inclement weather is imminent.

Stall holders should set up and maintain their site within the allocated boundary marked for their site, and not interfere with the access or operation of any other stall holder.

8. Public Liability Insurance

It is essential that all stallholders are covered by public liability insurance.

All stall holders are required to provide a scanned or printed copy of their current public liability insurance cover (Certificate of Currency) to the Market Manager EACH YEAR. Permanent stall holders are requested to email a copy of their PLI insurance each year as soon as they renew.

Stall holders who can't produce a current Certificate of Currency will have to pay the additional \$10 for daily coverage for that market. This is a Council requirement for our lease of the site.

9. Conduct of Stallholders

All stall holders and their assistants must maintain a calm and courteous manner towards other stall holders, the organisers and members of the public at all times during a Rotary Sunday Market.

The Market Manager of the Batemans Bay Rotary Sunday Market reserves the right to ask any stall holder, their assistant, or a member of the public, to leave the market immediately following an unresolved incident of aggressive, abusive or nuisance behaviour.

The decision of the Market Manager to ask a person to leave the market in response to a complaint will be final.

10. Complaints Procedure

Any complaint about the behaviour of a stall holder, or unresolved dispute between stall holders, their assistants, or a member of the public, must be brought to the attention of the Market Manager immediately.

The Market Manager may ask for assistance in resolving the dispute. The Market manager's decision in these matters will be final.

Any complaint about the Market Manager or the decisions of the Market Manager should be raised

directly with the Market Manager.

Complaints of any nature that remain unresolved by the Market Manager can be referred in writing to the President of the Rotary Club of Batemans Bay, PO Box 199, Batemans Bay, 2536.

11. Stallholder Consent

It is a condition of this market that every stall holder consents to these rules and regulations and legal requirements.

The stall holder's consent remains in force until cancelled by the stall holder in writing, even if the rules and guidelines are modified from time to time.

A personal signature on the *Stall Holder Agreement*, payment of the site fee to the Market Organiser or an email from the stall holder constitutes acceptance of these conditions.

12. Proceeds of the Market

Rotary Batemans Bay is a registered charity and a part of Rotary International (see www.rotary.org).

The Rotary Sunday Market is run by volunteers with all proceeds from site fees and from stalls run by Rotary going to Rotary projects.

More information about the programs and projects of Rotary Batemans Bay can be found at our website www.rotarybbay.org.au

13. Version

Market Terms and Conditions Updated October 2020

Stall Holder Application for the Batemans Bay Rotary Sunday Market

Complete the form below OR send the following information to the Market Organiser by email at least 48 hours prior to the Sunday Market.

Contact details

Website : www.batemansbaysundaymarket.com.au

Email : rbbsundaymarket@gmail.com

Phone : 0491 117 838

APPLICATION FOR A MARKET SITE BATEMANS BAY ROTARY SUNDAY MARKET (THIRD SUNDAY) CORRIGAN'S BEACH RESERVE

Your name: _____

Your address: _____

Your mobile phone number: _____

Your email address: _____

The products you are selling: _____

Your Public Liability Insurance details:

Insurance Company: _____

End date of current policy: ____ / ____ / _____

Copy provided: YES / NO

Site required (circle): 4m x 4m / 5m x 4m / 6m x 4m / larger site by negotiation

Power needed: YES / NO (____ amps needed)

Do you require a Safe Food Handlers Certificate: YES / NO

Do you require Product Liability Insurance: YES / NO

Updated: 01/10/2020

Batemans Bay Rotary Sunday Market

Stall Holder Agreement

It is a condition of attendance of all stall holders at the Batemans Bay Rotary Sunday Market that they agree to the terms and conditions of this market and that they sign and return this agreement, send an email to the organiser indicating their consent or pay their site fee.

Stall holders agree to the following conditions:

1. The stall holder agrees to all the terms and conditions and schedule of fees contained in *Batemans Bay Rotary Sunday Market Terms and Conditions* (as updated from time to time) available on the website www.batemansbaysundaymarket.com.au, emailed to all stall holders or available on request from the Market Manager.
2. The stall holder agrees to comply with any special conditions which Batemans Bay Rotary may from time to time determine in relation to the operation of the Rotary Sunday Market (e.g. changes to site layout or vehicular access).
3. The stall holder agrees to indemnify and to keep indemnified Batemans Bay Rotary Club Inc and Eurobodalla Shire Council, their servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the Rotary Sunday Market.
4. The stall holder, where appropriate or required, shall ensure that they are licensed or registered to carry out the activity authorised and shall comply with and give all notices required by any Act of Parliament, Ordinance, Regulation or Bylaw relating to the activity they undertake. This includes COVID-19 requirements for COVID Safety.
5. The stall holder's continued attendance at the Sunday Market may be reviewed by the Market Manager if the stall holder fails to comply with any condition of this Stall Holder Agreement or in any other justifiable circumstance.

STALL HOLDER CONSENT

I acknowledge that I have read and accept the terms and conditions of the Batemans Bay Sunday Market and I agree to abide by and be bound by the said conditions.

Your name: (please PRINT) _____

Your signature: _____ Date: _____

Market Organiser: Neil Simpson

Phone: 0491 117 838

Email: rbbsundaymarket@gmail.com

Website: www.batemansbaysundaymarket.com.au

Version: Oct 2020.