



General Terms and Conditions

All Stallholders must submit an Application Form prior to trading. By submitting an Application Form and the payment of any applicable fee, or commencement of trading with Your Local Markets, Stallholders agree to be bound by these General Terms and Conditions.

Stallholders may also be subject to further terms and conditions specific to certain Markets and will be notified of such further specific terms and conditions from time to time.

These General Terms and Conditions may be withdrawn, changed or replaced at any time by Your Local Markets in its sole discretion and communicated to you.

Definitions

“Artisan” means any person who designs, makes or produces their own unique, creative or unusual product, which contains a distinctive design element, as determined by Your Local Markets, in its absolute discretion.

“Market” means any Food & Farmers Market, Produce Market, Farmers Market, Growers Market, Global Food Market, Food Market or Artisans Market operated by Your Local Markets.

“Market Day” means any day when a Market is held.

“Reseller” means a Producer who accesses additional produce from producers in their district or from producers who they have a long-standing or on-going business relationship. Purchasing of produce from another market or wholesaler for resale at Market Day is strictly prohibited without the prior written approval of Your Local Markets.

“Producer” means primary producers, growers, farmers or home gardeners who grow, produce, raise or catch their own produce or products for sale.

“Stallholder” means a Stallholder who has completed and submitted an Application Form, paid any relevant application fee to Your Local Markets and have been accepted by Your Local Markets as a Stallholder at any Market. **“Stallholders”** also includes Stallholders’ employees, agents, contractors, consultants and family members who attend and sell at any Markets.

“Your Local Markets” means My Local Markets Pty Limited ACN 138 388 879 (trading as Your Local Markets) and includes trading names such as Bondi Junction Village Markets, Bondi Junction Markets in the Mall, Bondi Junction Markets, Food & Farmers’ Markets, Artisans’ Markets and Global Food Markets and includes all employees, agents, contractors engaged in the business of Your Local Markets in New South Wales.

Arrival and departure times

If you sell out of product prior to the Market closing time, Stallholders are not permitted to pack up and leave early. This is an occupational health and safety issue.

Food & Farmers’ Markets, trading Thursday & Saturday 9.00am – 5.00pm

- You may commence set up from no earlier than 7.00am or as directed by Your Local Markets.
- Vehicles may enter the Market precincts to unload directly into your Stall Site, but must leave the market site prior to 9.00am. There are no exceptions to this rule.
- Stallholders may replenish products for sale during each Market Day through the Rowe Street Ramp area only.
- Vehicles may re-enter the market site to pack up no earlier than 5.00pm and must leave the market site by no later than 7.00pm.

Artisans’ Markets Winter trading (April to September) Friday 9.00am – 5.00pm

- You may commence set up from no earlier than 7.00am or as directed by Your Local Markets.
- Vehicles may enter the Market precincts to unload directly into your Stall Site, but must leave the market site prior to 9.00am. There are no exceptions to this rule.

- Stallholders may replenish produce or products during each market day through the Rowe Street Ramp area only.
- Vehicles may re-enter the market site to pack up no earlier than 5.00pm and must leave the market site by no later than 7.00pm.

Artisans' Markets Summer trading (October to March) Friday 9.00am – 3.00pm

- You may commence set up from no earlier than 7.00am or as directed by Your Local Markets.
- Vehicles may enter the Market precincts to unload directly into your Stall Site, but must leave the market site prior to 9.00am. There are no exceptions to this rule.
- Stallholders may replenish their products for sale during each Market day through the Rowe Street Ramp area only.
- Vehicles may re-enter the market site to pack up no earlier than 3.00pm and must leave the market site by no later than 4.00pm.

Global Food Markets Summer trading (October to March) Friday 5.00pm – 9.00pm

- You may commence set up from no earlier than 4.00pm or as directed by Your Local Markets.
- Vehicles may enter the Market precincts to unload directly into your Stall Site, but must leave the market site prior to 5.00pm. There are no exceptions to this rule.
- Stallholders may replenish produce or products during each market evening through the Rowe Street Ramp area only.
- Vehicles may re-enter the market site to pack up no

earlier than 9.00pm and must leave the market site by no later than 11.00pm.

Disabled Access

Disabled access is available at all venues.

Eligibility Criteria

Your Local Markets is committed to bringing beautiful, premium quality, fresh food to consumers in public spaces within Australia.

Your Local Markets strives to have a diverse and rich mix of Stallholders on each Market Day. The number of producers selling one kind or type of product will be at the sole discretion of Your Local Markets.

No Stallholder retains any right to trade exclusively at any markets operated by Your Local Markets.

Your Local Markets will retain the right, in its sole discretion, to refuse Stallholders entry to its Market and need not provide reasons for such refusal.

Your Local Markets will give preference to the following types of Stallholders:

Food & Farmers' Markets:

Your Local Markets will only accept the following Stallholders:

- Organic Producers or Resellers;
- Producers or Resellers who grow, make or produce the food themselves within a 200 kilometre radius of the Market;
- Producers who (or Resellers whose product) follow(s) sustainable farming practices; and
- Producers or Resellers who commit to regular Markets.

Your Local Markets reserves the right to showcase one particular

regional area, which may be further than 200 kilometres away from the Market Site.

Artisans Markets:

Your Local Markets will only accept the following Stallholders and/or products:

- Independent artists or designers who create or produce their own products that are creative, unique or contain an original design element.
- Your Local Markets is seeking to showcase those who produce high quality, original products that are not necessarily found in ordinary shops. Your Local Markets will give preference to products made locally, which contain a unique design element and which are of a very high level of quality and originality.
- Products accepted into the Artisans' Markets do not need to be handmade, but because we value this aspect there will be a high level of handmade goods at Your Local Markets Artisans' Markets.
- Mass-produced products will generally not be accepted into the Artisans' Market except in exceptional circumstances, and with Your Local Markets written permission.
- Traditional goods may be accepted into the Artisans' Market however they will must have a unique feature, look or design element.



Global Food Markets:

The Global Food Markets will feature predominantly hot food stalls selling food prepared to order, for immediate consumption. The focus will be on featuring a wide variety of cuisines from throughout the world with a high standard of preparation, presentation and taste.

Your Local Markets will give preference to the following stallholders:

- (a) Those using sustainable foodstuffs or those that grow all or some of the produce used in preparation of dishes;
- (b) Those representing lesser-known cuisines, giving customers the opportunity to sample a wide variety of foreign food; and
- (c) Those committed to maintaining high standards of quality and freshness.

Equipment

Unless the use of certain equipment is specified by Your Local Markets, Stallholders should bring all equipment required to sell their products. Your Local Markets currently does not supply equipment to Stallholders, so Stallholders will need to bring everything they need, including but not limited to gazebos, sandbags, ropes, tarpaulins, tables, chairs and display equipment.

All trestle tables and benches must be covered with hessian (preferred), muslin or plain white cloth. All table and bench coverings must reach the ground on the public-facing side of each Stall.

Stallholders may sit on elevated stools to encourage interaction with consumers. **Low chairs are not permitted.**

Each Stallholder is restricted to their Stall Site and must comply with all relevant laws, including

OH&S requirements. No produce or other materials (such as signs) may be placed in aisles or on the ground in front of stalls.

Your Local Markets may direct you where to place certain equipment or signage.

Your Local Markets may require Stallholders to remove dangerous, faulty or unsightly equipment.

Feedback

We welcome feedback. If something isn't right or can be improved, we'd love to hear your thoughts. If you have an issue or an idea, please discuss it with us and not with other stallholders or the public. We can only remedy or improve a situation if we know about it!

Food preparation/sale requirements

You must register your business in accordance with all relevant legislation and regulations.

In NSW you must register via the following website:

http://www.foodnotify.nsw.gov.au/nafs_prod/

Temporary food licences are also a requirement of some NSW Councils, so you must check periodically whether Waverley Council requires a temporary food licence.

Other websites that may be relevant in NSW are:

[Food safety For Market Stallholders](#)

[Handwashing Information For Market Stallholders](#)

Temperature control of Potentially hazardous food: http://www.foodstandards.gov.au/_srcfiles/FSTemp_control_Edition_for_printing.g.pdf

Labelling requirements: http://www.foodauthority.nsw.gov.au/Documents/industry_pdf/labelling_general_requirements.pdf

Stallholders remain liable for compliance with all laws. Your Local Markets assumes no liability for Stallholders' compliance with legal obligations and Stallholders indemnify Your Local Markets for any Stallholder breach of the law.

Goods for sale

All goods for sale must be approved by Your Local Markets. Should Stallholders wish to change the mix of product offered for sale, it must apply in writing to Your Local Markets, using the Application Form prior to selling. Your Local Markets reserves the right to specify or refuse approval of certain types of products a Stallholder may sell on any Market Day.

Insurance

All Stallholders must have current public & product liability insurance providing a minimum of \$10m cover (TBC with Waverley Council). Stallholders must provide evidence of current insurance prior to trading at Your Local Markets.

Stallholders must also have current applicable WorkCover Insurance for all employees.

Your Local Markets may request copies of these insurance policies from Stallholders time to time.

Liability and indemnity

Your Local Markets will not be liable for any injury (including death) loss or damage suffered by the Stallholder from or in connection with its activities conducted at a Market.

Stallholders will indemnify and keep indemnified Your Local Markets against:



- (a) any damages, loss, cost and expense or liability incurred by Your Local Markets; or
- (b) any claim, action, or proceedings made against Your Local Markets

arising out of the use and occupation of the Stallholder or out of the conduct of any activity of the Stallholder at or in connection with a Market.

Mystery shopping/audits

Your Local Markets reserves the right to mystery shop or audit its Stallholders for compliance with these General Terms and Conditions. Should a Stallholder be in breach of these General Terms and Conditions, Your Local Markets may terminate its agreement with the Stallholder, or impose further conditions on the Stallholder.

Packaging

Plastic bags, styrofoam and non-recyclable packaging materials are banned by Waverley Council from Bondi Junction Mall. Stallholders must use environmentally-friendly packaging for their products, which must be approved in writing by Your Local Markets.

Your Local Markets can nominate a local packaging company to supply environmentally-friendly packaging to Stallholders.

Parking

Parking is available at and around the Market site however Stallholders must comply with all local parking restrictions.

Parking illegally, or hindering the normal flow of traffic in and around each Market site could jeopardise the continuing operation of the Markets and is not permitted.

Payment

Stall fees must be paid by 5.00pm on the Thursday week prior to a Market Day. For example, stall fees for the Food & Farmers' Market on Saturday 22 May 2010 must be deposited into Your Local Markets' nominated bank account by 5.00pm Thursday 13 May 2010. If Stall fees are not received by Your Local Markets within this time, Your Local Markets reserves the right to charge the difference to the Stallholder of the casual daily stall fee and the permanent daily stall fee.

Permanent Stallholders must pay their Stall fees in advance by electronic funds transfer or by cheque. **Cheques must clear 4 business days prior to any Market Day.**

Your Local Markets does not currently accept credit card payments for Stall Fees.

Power

Electricity will be provided for an additional cost. Electricity is only available for the purpose approved by Your Local Markets.

Your Local Markets does not provide any equipment for Stallholders to connect to the electricity. Stallholders may only use power leads that are safe, comply with Occupational Health and Safety requirements and have been recently inspected. Your Local Markets reserves the right to inspect electrical equipment and cables at any time.

Electricity, or its continuous supply, is not guaranteed by Your Local Markets.

Promotion

Your Local Markets reserves the right to advertise or promote the Stallholder in connection with Your Local Markets and the Stallholder consents to Your Local Markets

taking and using photos which may contain images of the Stallholder's produce or image.

Refunds & Credits

Stall fees may be credited to another week only if bookings are cancelled (or refused by Your Local Markets) by 5.00 pm 4 business days prior to Market Day.

Stall Fees are not refundable unless 4 business days notice is provided to Your Local Markets.

Credits and refunds will not be issued for bad weather on Market days. Your Local Markets operates all weather Markets and trade rain, hail or shine. Please do not apply to be a Stallholder unless you are prepared for all weather. There are no exceptions to this rule.

Rubbish, Waste & Recycling

Stallholders must remove all of their own waste from the Market Site at the end of each Market Day. Additional rubbish and recycling bins are provided for customers only.

The stall site must be left in the condition it was found.

Sites

Stallholders obtain no right, title or interest in a site and cannot otherwise deal with a site.

Stall Fees

Please refer to our separate 'Market Fees & Charges' document for casual and permanent stall fees, which Your Local Markets will provide to you.

Casual Stallholders are those who have not paid for their site within 4 business day of a Market. Casual Stallholders are not guaranteed a stall site on Market day.



To qualify for the Permanent Stallholders' discount and be allocated a stall site, Stallholders must prepay no later 5.00pm at least 4 business days prior to a Market day.

Stall Requirements

All Stallholders must use gazebos and/or trestle tables however will be subject to local food legislation and regulations.

If a gazebo is required, it must have clear plastic walls. A white gazebo is preferred.

Trestle tables must be covered with hessian (preferred), muslin or white fabric that reaches the ground on all sides facing the public. Any other type of fabric must be approved in writing by Your Local Markets.

Products for sale must be displayed in a visually attractive way. Stallholders must ensure they bring adequate product to the market to ensure their stalls have an abundance of products on display and to avoid selling out before the end of the Market Day.

Stall Sites

Stall sites may be allocated prior to Market day, however, may change from week to week and without notice. Your Local Markets reserves the right at any time to move Stallholders to another site.

Standards of presentation and behaviour

Stallholders and their staff who attend and sell at the Markets must have a solid understanding of the produce/product offered for sale.

Stalls must offer an abundance of produce and, where permitted by

health regulations, Stallholders are encouraged to offer samples of product to customers.

All products offered for sale **must** be clearly marked with a price.

Stallholders must be clean and neatly presented, preferably wearing a uniform or consistently coloured shirts if there is more than one person selling each stall. If provided by Your Local Markets, name tags must be worn by all Stallholders.

Stallholders must not smoke within the Market precincts.

Stallholders must be polite and well-mannered to Your Local Markets Management, other Stallholders, staff and customers at all times. Friendliness, smiling and using customers' names is strongly encouraged!

Storage

There is very limited storage at the Market site Stallholders should expect to bring and remove everything they need for each Market.

Term

These General Terms and Conditions continue until terminated by either party. All amounts owing by the Stallholder to Your Local Markets at the time of termination will become immediately due and payable to Your Local Markets.

Trading Times

Trading times are subject to change by Your Local Markets at any time, however Your Local Markets will use reasonable endeavours to provide as much notice as possible to Stallholders of any change in trading times.

Your Local Markets will use reasonable endeavours to publish trading times of its Markets on its website.

General trading times of the Markets are as follows:

- Food & Farmers' Markets, trading Thursday & Saturday 9.00am – 5.00pm
- Artisans' Markets Winter trading (April to September) Friday 9.00am – 5.00pm
- Artisans' Markets Summer trading (October to March) Friday 9.00am – 3.00pm
- Global Food Markets Summer trading (October to March) Friday 5.00pm – 9.00pm

Waiting Lists

When all available sites for producers in the same class, or those preferred by Your Local Markets (for example, organic or sustainably farmed produce) have been allocated, vendors in these classes wishing to participate in a Market Day will be placed on a waiting list. Vendors on the waiting list will be invited to attend a Market Day as soon as a site becomes available, however Your Local Markets cannot guarantee a site for any Stallholder (unless paid and accepted) at any Market Day.

