



Rotary Club of Ballarat South Inc. A0014698X The Ballarat Market Rules

- 1) The Ballarat Market is a project of the Rotary Club of Ballarat South Inc. and is conducted at the Ballarat Showgrounds on the corner of Creswick Road and Howitt Street, Ballarat. The Ballarat Market is under control of the Ballarat Market Committee, a committee of the Rotary Club of Ballarat South Inc.
- 2) The market is open every Sunday except during the Ballarat Show or unless otherwise notified via the market website www.ballaratmarket.com.au. The cattle pavilion is not available to stallholders during the Alpaca Show on a date as advertised on the market website.
- 3) The Ballarat Market will operate in all weather conditions. Stallholders who have outside sites are advised to bring their own protection against the elements. There will be no refunds of site fees due to adverse weather.
- 4) The public is admitted to the market between the hours of 8:00am and 1:30pm via the pedestrian entry on the corner of Creswick Road and Howitt Street.
- 5) Stallholders are admitted between 6:00am and 8:00am (via Creswick Road entry)
 - a) Vehicle movements must not exceed 5km/h (walking pace).
 - b) No vehicles are allowed to enter, move around or leave the market until 1:30pm or when the market gates are closed. If emergency egress is required contact the staff on duty to be escorted from the market.
 - c) Stall holders must vacate the market site by 4:00pm.
 - d) Stallholders vehicles are not allowed in the cattle pavilion or the centre pavilion between 8:00am and 1:30pm.
- 6) Parking on vacant sites is not permitted.
 - a) Site fees will be charged for any vehicle parking on a vacant site
- 7) Bookings shall be conducted via an online booking and payment system:
 - a) All stallholders must have public liability insurance (See clause 19)
 - b) Sites available for booking shall be identifiable on the online booking web site.
 - c) It is the stallholder's responsibility to ensure that they are on the correct site or they may be charged an additional site fee.

- d) Stall holders are not permitted to sub-let their site or arrange for any other stall holder to occupy their site in the event of their absence.
 - e) If booked sites are not occupied by 8:00am there will not be access or a refund for the site.
 - f) Bookings for the Sunday market close at 6:00pm on the Friday prior to the next Sunday's market.
 - g) Stallholders with permanent bookings should pay by 6:00pm on the Friday prior to the Sunday market to have their payment entered onto the entry list and receive the gate entry email message. Payment after this time will result in stallholders being required to attend the market office to confirm that payment has been made.
 - h) The Ballarat Market Committee reserves the right to publish photographic images of stallholders and/or their stalls/sites taken at the Ballarat Market for use in promotions and publicity
- 8) Stallholders must always be in possession of and display a current site receipt when at the market and may only operate within their allocated site.
- 9) Cancellation and Refund.
- a) Up to and including 6:00pm on the Friday before the market the site is booked for. Refund will be a credit for the next market.
 - b) After 6:00 pm on the Friday before the market the site is booked for. No refund.
- 10) Undercover stall sites are limited to a maximum of four per Stallholder.
- 11) Goods display shall not obstruct roadways, passages etc (including stall site numbers).
- 12) Stallholders must comply with all relevant legislation and requirements of any relevant authority, including The City of Ballarat, and have the necessary permits or licenses appropriate for their type of sales. Such compliance includes:
- a) Licensing and Registration for dealing in second hand goods see <https://bit.ly/2Yktgw9>
 - b) Product Safety. See Product safety checklist for markets. <https://www.consumer.vic.gov.au/products-and-services>
 - c) Use of electricity:
 - Electrical leads run along the ground must have safety trip covers;
 - Electrical leads are not allowed to pass across roadways and other public access paths;
 - Electrical leads and appliances must be tagged with an in date tag as per Australian Standards AS/NZS 3760; and
 - Electrical leads must be suitable for the load.
 - d) Compliance with OH&S Legislation is mandatory. Stallholders are asked to report any safety incident to the market staff on duty.

- e) A stallholder who does not comply with the guidelines and relevant legislation is liable to have their site cancelled and/or be refused admission to the market.
- 13) Food vendors of any product intended for human consumption (including fruit and vegetables, home grown produce, home cooked food and eggs) must comply with the Food Act (Victoria) and be registered with their local Council. The operation of temporary food premises must be registered at Streatrader <https://streatrader.health.vic.gov.au/> .
- a) This permit must be relevant to their address and must be clearly displayed
 - b) Food handling must comply with current health regulations and licensing conditions.
- 14) Smoking is not permitted as the Ballarat Market is a smoke free area.
- 15) Prohibited sale items include:
- c) Alcohol, tobacco, firearms, ammunition, explosives, pornographic, indecent, obscene or offensive items or publications.
 - d) New or used motor vehicles, new major electrical appliances (commonly known as white goods), red meat, or new furniture (other than wooden or hand- crafted furniture).
 - e) Goods or merchandise that infringe any copyright, trademark or registered design, e.g. pirated audio/video cassettes, compact discs, DVDs, clothing, etc.
 - f) Drugs, drug literature (including clothing that depicts drug messages or scenes) or items for the administration of drugs.
 - g) Any other item deemed inappropriate by the Ballarat Market Committee. Their determination is final, and no negotiation will be entered into.
- 16) Prior permission to operate from the Ballarat Market Committee is required for pony rides, water activities, mechanical rides and inflatable activities.
- 17) The Ballarat Market Committee reserves the right to refuse entry, re- issue permits, evict or suspend trading or any stallholder.
- 18) Stall sites
- a) All sites are booked and paid for using the online booking system accessed via the Ballarat Market website. <http://www.ballaratmarket.com.au/index.php/stall-bookings>
 - b) The sites are defined by their number:
 - i) In the pavilions the site number is above each site or on the floor.
 - ii) Outside site numbers are painted on the roadway.
 - iii) If there is doubt about the extent of the site, contact the staff on duty.
 - c) All stall fittings and goods including tables, marquees, etc., must be contained within the boundaries of the site and shall not protrude into the pedestrian area.

- d) The Ballarat Market operates in all weather conditions. Stallholders must prepare for the conditions prevailing on the market day.
- e) Marquees, and all other stall equipment, e.g. tables, must always be erected so as not to cause a safety hazard and weighted or adequately secured.
- f) Any equipment used on the site must be in good repair and be operated in a safe manner.
- g) All sites must be kept clean, free from rubbish and not present a hazard to any persons. The Ballarat Market may direct the stallholder to cease operating their site and pack up if the activities or the site is deemed to be unsafe. In this case there will be no refund or credit of any site fees paid.
- h) The Stallholder shall ensure that all their property and effects are removed from the Market at the conclusion of the Market each Sunday. It is the Stallholder's responsibility to leave their site and the surrounding area clean and tidy before 4pm. This includes the removal of all unsold items, papers and packaging. Otherwise the Stallholder shall be charged for the removal.

19) Stallholder liabilities:

- a) The Stallholder shall indemnify the Ballarat Market Committee (Rotary Club of Ballarat South Inc.) and keep it indemnified to the fullest extent by law from and against all claims or demands of any nature whatsoever which the Ballarat Market Committee may suffer or incur in connection with loss of life, personal injury or damage to property arising from or out of any occurrence in or upon the premises or the use of the premises by the stallholder or by any of the Stallholder's employees and customers or caused by the stallholders or by the stallholder's employees and customers and whether or not the existence of a dangerous item or dangerous state of affairs was or ought to have been known to the Ballarat Market Committee or Stallholder or both of them.
- b) The Stallholder acknowledges there is no liability or responsibility whatsoever on the Ballarat Market Committee (Rotary Club of Ballarat South Inc.) for any loss or damage the stallholder may suffer or incur to their property, effects and equipment before, during and after market hours.
- c) Public Liability Insurance
 - i) All Stallholders are required to have Public Liability Insurance.
 - ii) Stallholders unable to demonstrate that they have current PLI will be charged \$5 per site for this insurance.
 - iii) If a stallholder has their own Public Liability Insurance policy with coverage of at least \$10,000,000 and provides evidence of currency to the Ballarat Market the \$5 Public Liability Insurance fee will be waived.
 - iv) All stalls selling food stuffs must have their own Public Liability Insurance policy and supply evidence of the policy to Ballarat Market Committee prior to occupying a site.

- v) Documentation can be found at <http://www.ballaratmarket.com.au/index.php/info/policies>
 - vi) The Ballarat Market Committee (Rotary Club of Ballarat South Inc.) makes no representation or guarantee that the Insurance Policy:
 - (1) is appropriate to a Stallholder's business;
 - (2) does not contain exclusion clauses which may prevent or limit a Stallholder's right to make a claim for indemnity under the terms of the Insurance Policy;
 - (3) that the financial limits on the Insurance Policy cover are adequate for the risks to which the Stallholder is exposed.
- 20) At 1:30 pm, or at a time determined by the Rotary Club of Ballarat South members on duty, the Howitt Street gate will be opened for Stallholders to exit.
- 21) Cyclists and skate-boarders are not allowed to ride in the market, while mobility scooters are permitted.
- 22) Dogs are permitted to enter the market under to following conditions:
- a) Dogs must be on a short lead;
 - b) Owners must have a dog waste bag with them;
 - c) Dog behaviour is subject to Domestic Animals Legislation (Vic.);and
 - d) The Rotary Club of Ballarat South Inc. reserves the right to exclude or remove any dogs whose behaviour is deemed inappropriate or dangerous.
- 23) ENQUIRIES for market operation should be directed to:
- a) The Ballarat Market phone 0418 518 106.
 - b) Email enquiries@ballaratmarket.com.au
 - c) Web Page: <https://www.ballaratmarket.com.au/>
 - d) Stall Bookings: <https://ballaratmarket.com.au/index.php/stall-bookings>
 - e) We do not recommend generic online market advertising sites. They may not contain current information.
 - f) Facebook: Ballarat Market.
 - g) If you experience problems associated with the market or have suggestions that may improve the operation of the market for both stallholders and patrons, please direct them in writing addressed to:

**The Ballarat Market Committee
Rotary Club of Ballarat South
PO Box 211R
REDAN VIC 3350**

- 24) These Rules of operation may be amended from time to time at the sole discretion of Ballarat Market Committee and will become effective on the date of their publication. Current rules can be found on the Ballarat Market website.
- 25) Stallholders by having a stall at the market will be considered to agreeing to the above rules.