



TERMS & CONDITIONS

1. DAYS / TIMES & BUMP IN MARKET OPERATIONS

1.1 Market Day / Time

- Warragul Farmers Market (WFM) is on the third Saturday of the month in Civic Place, Warragul, located off Albert Street.
- Market hours of operation is.
 - 8.30 am - 1.00 pm on Saturday
- Stall holders are expected to maintain their stall open until the close of the market.

1.2 Bump-in hours

- Trading hours are between 8.30 am to 1.00 pm. The bump-in volunteers will be present at 6.30 am. All stall holders must be ready for trade by 8.00 am.
- Stall holders are strictly NOT PERMITTED to set up between 8.15 am and 1.00 pm as this voids our public liability insurance and puts the public and other stall holders' safety at risk. Pack up to commence after 1.00 pm. Bump out by 2.00 pm. Stalls without an allocated car park must remove their vehicle from the site to the carpark by 7:45am to ensure pedestrian safety.
- Stalls must be open to view and properly staffed by a competent representative during operating hours. No person under the age of 15 years old is to be in charge of a stall.

1.3 Bump-in process

- Upon arrival, stallholders must check in with market operations volunteers at designated zones. They must follow instructions from the volunteers regarding the access route to their stall.
- Late arrivals will be admitted at the WFM Inc. Committee's discretion. They will either be assigned to their allocated site or a different site to ensure vehicle traffic safety. Refunds or credits will not be given if a late-arriving stallholder chooses to leave the market.
- The WFM Inc. Committee will allocate and relocate sites, and their decision is final. Stall holder site allocation is optimised for business, safety, exposure, and community use.



2. . STALLHOLDER FEES & TYPES

2.1 Stall fees and charges

- Stall fees and charges are determined by the WFM Inc. Committee.
- Fees stated as of 1 July 2023.
 - Standard stalls are 3m x 3m (\$55 + \$2 booking fee + merchant fee)
 - Double stalls are 6m x 3m (\$80 + \$2 booking fee + merchant fee)
 - Additional sites upon request
 - 10 amp power (\$10 per power supply)
 - 15 amp power (\$15 per power supply)
 - Casual Daily Insurance* (\$20 per market, only valid for up to two markets.)
- Stall fees are listed in the Issimo Markets online booking application form and are not up for negotiation. <https://www.issimomarkets.com/bookings/50339>
- Stall fees go towards the location fee, wastage collection, promotional material and associated costs with running a not-for-profit community event.
- The Warragul Farmers Market reserves the right to cancel a Stallholder's tenure at any time and without affording reason.
- Site fees and charges are subject to change and notice will be given to advise.

2.2 Sharing a site

- Site sharing is generally not allowed, however under special circumstances, and for short term it may be allowed. Businesses sharing a site space must first be approved by the Market Manager prior to trading.
- Two businesses sharing a site will be required to pay the fee for a double site. Both stallholders are required to apply on the Issimo Markets booking system and provide the relevant documents.

2.3 Online Booking

- The online booking system WFM uses is Issimo Markets.
- The web address (URL) is <https://www.issimomarkets.com/bookings/50339>
- A booking fee and merchant fee is levied by the booking service provider. This is an additional cost to the fees.



2.4 Refund policy

- Cancellations can only be made by notifying the Market Manager via email.
- Emails must be sent to manager@warragulfarmersmarket.com.au.
- Only cancellations received before 5.00 pm on the Wednesday prior to the market will be eligible for a partial or full refund.

2.5 Stallholder and Produce Eligibility

- All stallholders will be farmers, growers, producers, gardeners, bakers or cooks resident or producing within 150 kms of the WFM site.
- Exceptions to the above may be made at the discretion of the WFM Inc. Committee. Any stallholder found to be reselling will be at risk of losing their place at the market.
- Stallholders who wish to sell produce on behalf of another Gippsland producer, can only do so with the permission of the WFM Inc. Committee. The supplier must produce within the 150km radius of Warragul.
- Priority will be given to producers supplying biodynamic, organic and minimal spray produce. Any variances to these rules are at the discretion of the WFM Inc. Committee and will be made in the best interests of the Warragul Farmers' Market, stallholders and the community.
- New food producers may be interviewed by WFM Inc. Committee members at their business prior to trading to ensure they are meeting their obligations under the laws relating to food production.
- To ensure diversity the WFM Inc. Committee will determine stallholder eligibility at their discretion. It is vital that stalls complement not compete directly unless there is a great demand for the product - ie. fresh produce.

2.6 Stallholder Types

- Warragul Farmers Market has the following stallholder types:
- Regulars - also known as our 'annual' stallholder, and have a secure position yearly.
- Casuals - attends casually, per market basis or as required. WFM can accept & dismiss when required.
- Pop-ups - "one-time" stallholders, may be used for seasonal or occasions. E.g. Easter, Christmas.



2.7 Stallholder Suitability

To establish stallholder suitability, the WFM Inc. Committee will decide if a new stallholder will be a 'pop-up' or 'casual' or 'regular' stall.

The WFM Inc. Committee considers the following factors when deciding whether a new stallholder will become a casual or regular attendee:

- The WFM Inc. Committee has the discretion to determine the duration of a 'pop-up' or 'casual' stallholders. Monthly assessments will be conducted since it takes time for shoppers to adjust their buying habits and include new stallholders.
- The goal is to ensure that new stallholders complement the market mix without negatively impacting existing stallholders' trade. If a stallholder's product conflicts with the existing market mix or their conduct is unsatisfactory.
- WFM Inc. Committee reserves the right to dismiss a 'pop-up' or 'casual' stallholder without prior notice.
- If a stallholder believes that the market is not suitable for them, they can discontinue their participation by providing 14 days' notice.
- WFM Inc. Committee reserves the right to dismiss a 'regular' stallholder with a minimum of one month's notice. However, if it is found that a stallholder has acted in a way that is detrimental to the reputation or the interests of the market, or not in accordance with these Terms & Conditions, WFM Inc. Committee has the right to dismiss any stallholder without prior notice.
- WFM makes every effort to get the market balance of product mix and seasonality right, but if this is imbalanced by adding new stallholders, WFM Inc. Committee will address this using the aforementioned selection priorities, and not necessarily on a last on - first off basis. By accepting to attend our markets, you are acknowledging this management consideration.

2.8 Renewal

- All stallholders must apply annually, and stallholders will be assessed and categorised as "Regulars" (annual), "Casuals" (per-market basis), or "Pop-up" stalls (one-time).



3. SAFETY & SECURITY CONSIDERATIONS

- Stall holders must comply with permits, regulations, and safety practices while operating their stalls. Goods/signage must remain within the stall boundaries unless approved by the WFM Inc. Committee. Equipment should be securely used and operated responsibly.
- Stall holders are responsible for site security, and Warragul Farmers Market Inc. is not liable for theft, loss, or damage to their belongings.
- Food & beverage stalls with cooking facilities must have the relevant Worksafe Victoria electrical tested and tagged compliance, gas bottle compliance and must have necessary safety equipment like fire extinguishers or fire blankets.

3.1 Insurance

- Stall holders must have a minimum of \$10,000,000 public liability insurance (PLI). It is the responsibility of the stallholder to show proof of a current PLI coverage and must be submitted to the Market Manager or uploaded onto the stallholders Issimo Market's portal. If you do not have your own insurance, WFM can supply you with a casual daily insurance through our own, (14 days' notice is required.) *A set condition is required to be met for stallholders seeking casual daily insurance. If insurance is not current, stallholders will not be allowed to trade.
- The display and sale of products by stallholders at the market do not imply endorsement by the Warragul Farmers Market Inc. Stall holders are fully responsible for the quality and performance of their products and any consumer law obligations or warranties associated with the products sold.

3.2 Electricity

It is the responsibility of the stallholder to have:

- The relevant Worksafe Victoria electrical tested and tagged compliance. If discovered that stallholders do not meet compliance, stallholders will not be permitted to use it, and will be charged a technician to attend on market day to test.
- Equipment must be tagged & tested every six months.
- Must have necessary safety equipment like fire extinguishers or fire blankets.
- Stallholders must supply their own extension cables to run from the power outlet to their stall. A minimum of 20 metres is recommended.



- Limited (10 amp & 15 amp) powered stall sites are available.
- Stallholders must ensure that all plugs of extension cables are elevated where possible and not on the ground unless in a protective case.
- Stallholders must ensure all leads are neat and tidy and are not exposed to a tripping hazard.
- Stallholders must bring waterproof covers to be used when joining leads.
- Please avoid walking through the electrical area and please deter market shoppers from entering the powered area.

3.3 Gas

Gas appliances used on site must be approved by market day start.

It is the responsibility of the stallholder to:

- Regularly check all gas bottles and equipment attached to gas bottles to ensure gas hoses and attachments are not faulty and that bottles are date compliant.
- Provide an appropriate working fire extinguisher for any stall where gas burners are used and to ensure they know how the extinguisher is operated.
- Ensure their gas appliance is compliant with gas safety standards.
- Ensure that any gas appliance used for cooking is clean and satisfies food safety regulations.
- All fat and oil must be disposed of safely and must not leak or drip near naked flames.
- Ensure the area around the cooking appliance is left as they found it, no dripping of fat etc. onto asphalt.

3.4 Marquee weights or pegs

- Stallholders must bring a minimum four marquee weights or sufficient sandbags to every market. The marquee weights must be put in place as soon as the marquee is erected and for the entirety of the market trading hours.
- WFM is not liable for any damage incurred by a stallholder's marquee, equipment or vehicle to other property/persons or product on market sites.
- WFM reserves the right to action safety procedures if a stallholders set up is deemed unsafe, this may include pack down of a stallholder's site during market trading hours.
- If a stallholder is required to leave/pack down due to insufficient marquee weights or safe site set up, a stall fee refund will not be issued.



3.5 Food Safety

- Producers must understand their obligations under the food safety act and have appropriate hand washing facilities as stipulated by the Environmental Health Department of the Baw Baw Shire.
- There will be hand-washing facilities at the market site's amenities block. Some stallholders will need to supply their own dedicated hand-washing facility, depending on their food handling activities
- It is the responsibility of the stallholder to know what is required of them.
- ALL stallholders must have hand sanitiser easily accessible.

3.6 Liquor Licence

- Any stallholder selling alcohol is responsible for arranging their own liquor licence with Baw Baw Shire council.

3.7 Traffic Management

- Strict 5km per hour speed limit within the market area during set-up and pack down.
- No traffic movement within the market area from 15 minutes prior to market opening time and close of trade (with the exception of emergency vehicles or with volunteer escort). Vehicles are to activate hazard lights during all vehicle movements onsite.

3.8 Car Parking

- Car parking is available at the West Gippsland Arts Centre at no charge.
- Some sites will allow cars, this will be at the discretion of the Market Manager and dependent on the needs of the stallholder.

3.9 First Aid & Safety

- Stallholders should provide their own clearly labelled first aid kit with a supply of blue waterproof dressings.
- A Victorian First Aid responder is located at every market day and can provide additional First Aid support. Please advise one of the WFM volunteers on the day if you require assistance from Victorian First Aid.



- All first aid and Occupational, Health and Safety matters need to be reported immediately to the Market Manager.
- If you identify a potential hazard or 'near miss', please notify the Market Manager immediately and steps will be taken to prevent injury or damage to property.
- OH&S is the responsibility of all stallholders, market staff and volunteers.

3.10 Environmental Considerations

- WFM considers itself an example of responsible practice and minimal waste.
- Stallholders MUST comply with the Victorian Government Single Use Plastic ban introduced on 1st February 2023, These problematic single-use plastics are now banned from sale or supply in Victoria:
- Drinking straws, cutlery, plates, drink stirrers, cotton bud sticks, expanded polystyrene food service items, and expanded polystyrene drink containers.
- At the end of the market, stallholders are responsible for ensuring that all rubbish is bagged up and taken away with them. Rubbish bins provided by Council or market management and are STRICTLY for public use only. Waste water from a stall must not be disposed of in Council or site drains.

4. STALL HOLDER CODE OF CONDUCT

- Stallholders must maintain respectful conduct towards each other, the public, and market volunteers. WFM Inc. Committee can remove any stallholder who acts inappropriately. Market volunteers are also obligated to behave respectfully.
- Stall holders are responsible for complying with relevant laws and regulations at Warragul Farmers Market. They may need to demonstrate their compliance to the Market Manager upon request. The Market Manager or authorised volunteers have the right to remove any offensive articles, signs, or printed matter from stall sites. Please comply to avoid being banned from the market.
- The WFM Inc. Committee is supported by volunteers and staff who help run these markets. Please be patient with response times as we all work on the event after hours and have our families to look after. We will try our best to get back to you as soon as possible. Abuse / harassment will not be tolerated.
- Warragul Farmers Markets welcomes stallholders' input and is open to fair and direct feedback, however we will not tolerate confrontational or aggressive behaviour towards



any staff, volunteers or shoppers. Inappropriate behaviour will result in warnings and potential removal from the market.

- Similarly, those stallholders who ignore the rules of accreditation, labelling or agreements made regarding goods for sale will jeopardise their position at our farmers' markets.
- If you have concerns on a market day about operations, your site or another stallholder, please tell the Market Manager in a reasonable manner or email at manager@warragulfarmersmarket.com.au.
- If this situation cannot be resolved during the market, and you wish to pursue it further, your complaint must be formalised with written submission to the WFM Inc. Committee within seven days.
- **If a stallholder is found to be in breach of these terms and conditions or code of conduct, WFM will review their participation at the farmers' market and suspend further attendance if deemed appropriate.**

4.1 Stallholder Dress Code

- It is recommended that stall holders selling food items wear aprons or appropriate clothing. Stallholder name badges are encouraged.

4.2 Customer interaction

- Stallholders and assistants are required to maintain the highest standards of stall/product presentation, customer service and relations.
- Stallholders should refrain from sitting, reading and mobile phone use while the market is open to the public.
- Loud and intrusive selling techniques will not be permitted.
- Stallholders are not to use any public-address system or other practices, which may cause annoyance to other stallholders and customers.

4.3 Smoking

- Please note that there is **NO smoking permitted** at all within the Market Area. While manning the stalls, a 'No Smoking' policy must be strictly adhered to.
- Smoking will not be permitted within a 50 metre radius of any food stall.
- To maintain good hygiene practices, hands should be washed prior to returning to your stall.



4.4 Complaints

- In order to maintain quality standards, any complaints will be reported to the Market Manager and to the stallholder to whom the complaint is directed to in writing to manager@warragulfarmersmarket.com.au.
- If the issues of practice cannot be resolved by the Market Manager and the relevant parties on site, then the following action must be taken:
- When any stallholders believe that the selling practices of another stallholder are detrimental to the Market, the complaint must be addressed firstly to the WFM Inc. Committee in writing.
- If the issues of practice cannot be resolved satisfactorily by the WFM Inc. Committee and the relevant parties then two or more stallholders may call for a special meeting. A majority of those present at that special meeting may require that the detrimental practices be changed to conform to required standards.
- Failure to do so may be cause for cancellation of the right to hold a stall, if so voted by a majority of all the WFM Inc. Committee.

4.5 Disclaimer of Liability

- Stallholders indemnify Warragul Farmers Market Inc. (the Organiser), its volunteers, agents, contractors and any authorised third parties from any claims, demands, actions, damages, expenses or liability arising from any injury or damages to any person, including the general public, the stallholder or others, occurring either in the space occupied by the participant or elsewhere arising out of its occupancy or anything connected with occupancy.
- The organiser, its volunteers, agents, contractors and any authorised third parties will not be liable for any loss or damage to the property of the participants due to fire, robbery, accidents or any cause whatsoever that may arise from use and occupancy of the site.
- The organiser, its volunteers, agents, contractors and any authorised third party assumes no liability for any damages or losses resulting from or relating to the failure of the participant to comply with the provisions of this agreement.
- The organiser will not be responsible for stallholders' insurance "Certificate of Currency" not forward promptly to the WFM Inc office.



5. PROMOTIONS

5.1 Social Media and Promotion

- Warragul Farmers Market has social media and a website to promote upcoming markets, stallholder stories and products, and upcoming events. Etc.
- Stallholders are encouraged to promote stories, tag, share WFM social media accounts to promote their products, specials.
- Instagram & Facebook - @warragulfarmersmarket
- Website - www.warragulfarmersmarket.com.au

5.2 Photographs and images

- Stall holders of the Warragul Farmers Market agree to partake in photographic or video content for marketing purposes and release the market organisers, its volunteers, agents, contractors, and any authorised third parties from any claims, demands, or actions arising out of or in connection with the use of these images, including but not limited to any claims for defamation, invasion of privacy, or infringement of my rights of publicity or copyright.

6. PRODUCE, PRODUCTS & PACKAGING

6.1 Product pricing

- WFM aims to educate consumers about the true value of the cost of food production.
- Stallholders will offer all produce at fair, market driven prices that reflect the quality and/or specialty nature of the goods sold and which achieve profitable outcomes, overcharging and/or advantageous pricing is discouraged.

6.2 Packaging

- Wherever possible, packaging should be biodegradable or recyclable.
- We abide by the Victorian Government **Single Use Plastics Ban**, and actively encourage our patrons to bring reusable bags such as our WFM branded bags.



6.3 Changes to Product offered for sale

- If the stallholder wishes to change the range of products sold, or the source of ingredients has changed the stallholders must advise the WFM Inc. Committee in writing.

6.4 Measuring instruments

- Stallholders using measuring instruments must ensure they comply with the Trade Measurement Regulations 2009. For more information, read the Guide for Market Stallholders and Roadside Traders and visit www.measurement.gov.au.
- Measuring instruments such as scales must be approved with an National Measurement Institute (NMI) or National Standards Commission (NSC) number and verified by a servicing licensee or inspector before they can be used at the market.

6.5 Product compliance

- All food items on sale must avoid the use of genetically modified organisms (GMO's), monosodium glutamate, hydrogenated fat, trans-fats and aspartame.
- Any E numbers must be declared.
- All fertilisers to be used should be biodegradable and should not bioaccumulate.
- Meat must be reared without growth hormones and nil antibiotics unless essential for humane animal husbandry.

6.6 Quality Assurance

- All stallholders are expected to maintain the Market's standards of freshness and high quality.
- Stallholders are responsible for the decoration and the maintenance of their site in a clean and tidy condition at all times.
- WFM Inc. Committee reserves the right to refuse the sale of goods not considered of an acceptable standard under the Australian New Zealand Food Authority (ANZFA) food safety regulations <http://www.health.vic.gov.au/foodsafety/>



6.7 Allowable produce

- Priority will be given to those producers based within a 100 km range from Warragul.
- Stallholders must understand that if another producer with a similar product of the same or greater quality applies to attend the market and is located considerably closer to the market location, that new stallholder may also be accepted into the market, provided they meet all other requirements.
- All stallholders must advise the WFM Inc. Committee in writing if they wish to introduce new products at the market, which are not listed on their original application or renewal application.

6.8 Primary produce

- WFM is a platform for Victorian farmers to sell directly to their customers. It is WFM's priority to ensure that primary produce makes up the majority of goods for sale.
- This is farm based produce grown or reared by the stallholder selling it.
- Value added products such as cheese and preserves are also considered primary produce if the main ingredient is produced on the manufacturer's own land, by the manufacturer. No re-sellers/agents are permitted.

6.9 Secondary / Artisanal / Value Added Produce

- WFM also allow a certain number of manufacturers who hand make their product to attend the market, provided their product is:
 1. a 'staple' (e.g. bread),
 2. particularly unique and unavailable elsewhere,
 3. ingredients are sourced direct from other stallholders or specifically local
 4. supporting a local community group
 5. Products must be made at a registered premise by the stallholder and utilise Victorian or Australian primary ingredients.
 6. **Products that are bought-in and re-packaged cannot be sold at the market.**

6.10 Organic/Biodynamic produce

- All organic/biodynamic producers must display a certificate from one of the recognised governing bodies at each market day.



- WFM does not permit the use of the words 'organic' or 'biodynamic' on stall displays or labelling without certification from a recognised governing body.
- The use of terms such as 'chemical free' or 'pesticide free' require proof of claim.

6.11 Allowable produce

PRODUCE	SPECIFICATIONS
Vegetables	must be grown in Victoria, no fresh produce from genetically modified plant varieties is allowed
Fruit	must be grown in Victoria; no fresh produce from genetically modified plant varieties is allowed
Meat	animals must be free range, reared and processed in Victoria
Dairy	must be produced from Victorian milk and processed by a wholly-owned Australian company
Seafood	must be caught or farmed in Victoria or in its coastal waters
Poultry	animals must be free range, reared and processed in Victoria
Eggs	must be certified free range and produced in Victoria
Preserves	must be predominantly made from primary produce grown in Victoria - exceptions may apply
Honey	must be a business based in Victoria and primarily produced in Victoria
Herbs	must be grown in Victoria, no fresh produce from genetically modified plant varieties is allowed
Cut flowers	must be grown in Victoria
Nursery	stock must be propagated and grown in Victoria
Food plants	must be grown in Victoria, no fresh produce from genetically modified plant varieties is allowed
Juices	must be made in Victoria from Victorian grown fruit and vegetables



PRODUCE	SPECIFICATIONS
Coffee	fair trade, direct trade, local or organic preferred, must be roasted in Victoria
Tea	fair trade, direct trade, local or certified organic preferred, herbal components should be sourced from other stallholders or Victorian farmers where possible
Savoury & Sweet baked goods	must be made in Victoria using predominantly Victorian produce & additions such as cheese, olives, dried/preserved fruits etc must be Victorian grown and preferably sourced direct from the grower.
Bread	preferably made from grain grown and milled in Victoria or alternatively Australian grown and milled & additions such as olives, dried fruits etc must be Victorian grown and preferably sourced direct from the grower.
Organic compost	must be produced in Victoria
Worm farms & worms	made and/or grown in Victoria
Seeds	must be vegetable, herb & flower seeds for the home gardener, open pollinated. Seeds without chemical treatment preferred. No GM varieties.
Wine & other beverages	must be produced in Victoria predominantly from fruit and grain grown in Victoria
Nuts, grains & pulses	must be grown in Victoria or within 100km of the Victorian border.
Vegetable, nuts & seed oils	must be grown in Victoria or within 100km of the Victorian border.