



# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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Market Manager  
Complaints

## OUR PHILOSOPHY

The Byron Bay Community Association (BBCA) manages numerous markets in Byron Bay, including the Byron Community Market at ~~Butler St Reserve~~ (Denning Pk Beachforeshore till Jan 2020), Artisan Market in Railway Park and Beachside Market along the Beach Front/Denning Park. These markets showcase the grass-roots of the Northern Rivers creative heart to all who visit here. Amidst the dynamic and lively atmosphere at each market, we find new ideas, new products, and alternative ways of being.

As part of this the Byron Bay Markets are committed to supporting local residents in the establishment of their business enterprises and gives preference to local stallholders who make, bake, sew or grow what they sell.

The BBCA is a not-for-profit social enterprise that is entirely self-funded through income and project grants but receives no ongoing income from Federal, State or Local Governments. Through the Byron Community Centre a range of projects, services and events for locals and visitors have been established.

All profits raised at the Byron Bay Markets, e.g. stallholder fees, are used through the Byron Community Centre for community services to support locals in need. Our goal is to identify and understand community needs, working towards creating a compassionate, just and socially inclusive society whilst enhancing and strengthening community capacity.

Some of the Byron Community Centre's services include:

- Wet Weather Shelter Project
- No Fixed Abode
- Seniors' program
- Street Gallery
- Byron Safety Net Appeal
- Homeless Breakfast
- The Byron Community Showers Project
- General Counselling
- Money Matters
- Housing Support

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## THE MARKETS

### Onsite

Byron Community Market operate on the 1st Sunday of the month, and the 3rd Sunday of December and January, temporarily at Denning Pk Beachforeshore, Byron Bay (moved from Butler St Reserve during roadworks)  
Open to the public from 8am to 3pm

### Office

Byron Community Centre

Address: 69 Jonson St, Byron Bay NSW 2481

Ph: (+61) 2 6685 6807 (ext 3 = markets, then ext 2 = community market management or ext 1 = market admin, payments, registration )

Email: [marketsinfo@byroncentre.com.au](mailto:marketsinfo@byroncentre.com.au) (bookings & payments)

Email: [sundaymarkets@byroncentre.com.au](mailto:sundaymarkets@byroncentre.com.au) (management)

Web: [www.byroncentre.com.au/markets/](http://www.byroncentre.com.au/markets/)

Byron Community Market Office Hrs: Tuesday & Wednesday 10am - 4pm

## STALL FEES

- Standard market stall 3.2 to 3.5m x 4m \$45 + \$3 environ levee = \$48
- Med market stall 5 x 3.5m \$
  
- Small food stall 4m front \$70 + \$3 = \$73
- Med food stall 5m front \$80 + \$3 = \$83
- Large food stall 6m front \$95 + \$3 = \$98
- XL food stall 7m front
- Casual food stall \$90
  
- Corner stall +\$6
- Vehicle/trailer parking (if available) +\$6
  
- Larger sites and access to electricity are available for additional fees
- Stall fees are non-refundable

A stallholder may request permission from market management to utilise extra space at the market and if the request is granted, market management reserves the right to charge an additional stall fee in respect of the additional space.

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Fees will be reviewed annually but may be reviewed at any time during a market year, should market management believe this is required. Any increase in stallholders' market site rental fees will be notified to stallholders at least one month prior to the new fees coming into force.

## HOW TO APPLY FOR A STALL SITE

**REGISTRATION PROCESS:** Please note – stallholders only need to register once online.

A casual stallholder is a person who has completed a registration form and has opted to attend the market on an irregular basis, although they may attend every market pending regular status. Casual stallholders are not necessarily allocated the same site at each attendance.

**Casual Stallholder registration online at:**

[www.byroncentre.com.au/markets/community-market-casual-stallholder/](http://www.byroncentre.com.au/markets/community-market-casual-stallholder/)

Stallholders will need in digital format for uploading:

- Photos of their product and their stall.
- Proof of address (e.g. drivers licence, bill with address and name, lease agreement).
- A current copy of their Public Liability Insurance policy for trade at markets with a minimum \$10M limit. If the insurance policy is in a business name, then proof of business association in the stallholder's name must also be provided.

Stallholders will receive a request to pay approximately 10 days before the market. Once payed, they can then arrive at the market ground at 7.00am for site allocation at Clarks Food Court (near Cape Byron Kayak, off Lawson St). Arriving late may result in missing out on your position in the priority. Online booking speeds up the allocation of a site on the morning of the market. Casual Stallholders must park on the street until they are allocated a site.

**Food and beverage stalls registration online at:**

[www.byroncentre.com.au/markets/community-market-casual-stallholder/](http://www.byroncentre.com.au/markets/community-market-casual-stallholder/)

Stallholders will need in digital format for uploading:

- Photos of their product and their stall.
- Proof of address (e.g. drivers licence, bill with address and name, lease agreement).
- Current Food Permit.
- Current Food Safety Certificate.
- A current copy of their Public Liability Insurance policy for trade at markets with a minimum \$10M limit. If the insurance policy is in a business name, then proof of business association in the stallholder's name must also be provided.

**Registering in Person on the Day** (walkup registration) is no longer available at Byron Community

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Market. Attendance is all by online registration and pre-paid.

Entry to the market is via a competitive process. In order to ensure variety, a high standard of goods, and a limited number of stalls in each product category, market management reserves the right to choose which stalls may have a site and where.

The decision to allow a stall to be setup at each and any market is at the discretion of the market manager. Registration does not guarantee a site on the day.

Stallholders are not permitted to sell offensive, illegal, prohibited, counterfeit, or unauthorised goods, including goods bearing trademarks for which the stallholder does not have a license to sell.

On your application define your products in the following way:

Definition of products	
Craft	Art or craft that is self-made by the stallholder
Value added	New or old goods that have been enhanced, decorated or restored
Jewellery	Personal ornaments, such as necklaces, rings, or bracelets
Accessories	Items such as bags, belts, shoes, sunglasses, hats and keyrings
Homewares	Furniture, utensils, candles and decorative objects for domestic use
Clothing	Womens, mens and childrens fashion
Health & Beauty	Personal care and cosmetic products, hair products and services, massage and natural therapy, health products
Imports	Goods that are not made by the stallholder and purchased either in Australia or overseas
Fresh produce	Perishable produce, including cut flowers, grown by the stallholder
Processed produce	Food that is processed (eg pasta, jams, and cakes)
Food & Drinks	Stalls selling food or drink for consumption at the market

And prioritised according to:

Priority	Resident Location (Shire)	Overall stall product content
1A	Byron	100% craft made by stallholder, <b>NOT</b> clothes or jewellery
2A	Ballina, Lismore or Tweed	
1B	Byron	100% craft made by stallholder, clothes or jewellery
2B	Ballina, Lismore or Tweed	
1C	Byron	70-99% craft made by stallholder
2C	Ballina, Lismore or Tweed	

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<b>1D</b>	Byron	30-69% craft made by stallholder
<b>2D</b>	Ballina, Lismore or Tweed	
<b>1E</b>	Byron	value-added and/or second-hand
<b>2E</b>	Ballina, Lismore or Tweed	
<b>1F</b>	Byron	imports
<b>2F</b>	Ballina, Lismore or Tweed	
<b>3 A-F</b>	Out of area	all products

## FOOD AND PRODUCE

A Byron Council permit is required for all food and produce stalls, which are categorised as:

### Category 1: Onsite food preparation

Any food requiring on-site preparation for the sale of food to the public. This includes hamburgers, kebabs, spring rolls, international foods, hot dogs, hot chips, pies, sandwiches or any other food prepared, made or cooked on the site, and all potentially hazardous foods.

### Category 2: One-step, low hazard food preparation

Stalls where one step-only preparation takes place on site, & where the ingredients or produce are not of a hazardous type, & where cooking, except for heating water or soup, is not part of the process. This includes popcorn, squeezing juices, fairy floss, tea & coffee, frozen fruit cups, & soups & other items which may be determined by Council's Environmental Health Officer. No potentially hazardous foods are permitted.

### Category 3: Pre-wrapped and bottled foods and fruit and vegetables

Includes pre-wrapped & other non-potentially hazardous foodstuff where food is protected from contamination by wrapping or where it is stored in sealed containers. This includes pre-bottled/sealed jams, honey, pickles, drinks; pre-wrapped & sealed cakes, toffees, biscuits; & natural protection such as fruit, vegetables & whole nuts.

### Category 4: Local charitable organisations

No potentially hazardous foods are permitted.

All stallholders should contact Byron Shire Council to confirm their requirements and obtain further details. All food stalls that use cooking oils or fats must have an 1800mm x 3200mm fire blanket adjacent to the cooking device.

Under market policy, all food and drinks must be made by the stallholder. Stalls can sell only the products for which they have approval and market management holds discretion on what stalls or products can qualify.

All food & drink stalls must supply at least one stable table & four stable chairs for customers' use, located

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in the public recreation areas. Food vendors are required to consult management if they wish to place tables and chairs in the aisles.

## **Organic certification**

Stalls that sell organic goods must display a current organic certificate in clear public view. If the stallholder's produce is "In Conversion to Organic", they must display a letter from their certifier verifying their conversion status.

## **Statutory declarations**

Stalls selling fruit & vegetables must complete a statutory declaration outlining all the produce they will sell and where it is grown. Declarations should be renewed annually.

## **Miscellaneous**

- All sales of eggs must comply with the standards as set out by the Australian Egg Corporation.
- Stalls selling alcohol (bottle only) must supply management copies of their liquor license prior to market days.
- All food/drink samplings offered to patrons must be covered and protected from dirt/dust/insects

## **Plastic Free Byron**

Byron Bay Markets supports a plastic-free Byron and encourages all stallholders to find alternatives to single-use plastic, particularly plastic bottles, straws, lids, takeaway containers, foodware (cups, plates & cutlery), and bags. Compostable products must be used to serve food and drink that is to be consumed at the market, i.e. paper plates, cups and straws, and wooden or cornstarch cutlery. Commercial drinks must be in recyclable containers (i.e. cans and PET bottles). Water is to be sold in recyclable containers or paper cups.

## **STALL SITE ALLOCATION**

**Casual stallholders** are allocated sites on the day according to what is available. Stallholders applications are prioritised according to the priority chart.

At 7.15am staff will take groups of casual applicants out on site to allocate them a stall site.

- Stallholders must stay with their staff allocator until they are allocated a site.
- Stallholders will need to have a site marker with them to leave on the site while they bring in their marquee and stock.
- Stallholders cannot place an item to reserve a site prior to allocation of sites, nor can they self-allocate and set up on a site. This is a serious offence.
- An extra cost of \$6 will be charged if a corner site is allocated.
- Casual Stallholders must park on the street until they are allocated a site. When bringing a car onsite, stallholders must park as close to their site as possible allowing space so others can pass, unload quickly and then leave to park off site. Casuals have no guarantee of parking onsite. Then, they can return to their site and set up their stall.



- It is a requirement that stallholders always use weights to secure their marquee and stock. At Denning Pk there is to be NO use of pegs or stakes into the ground. No weights = no canopy. Any stall that does not have adequate weights on their marquee will not be able to set up their canopy - that is at least an 8kg weight firmly attached to each marquee leg.
- Stallholders are also required to have mats on the area of their site to protect the grounds.
- All vehicular movement within the market area must cease by 8am, for the duration of the market, which is until 3.15pm. This provision is a requirement of the Traffic and Parking Management Plan and is a condition of the market license. Breach of this may put the market license at risk.

Casual stallholders may be allocated the same market site for an extended period of time. This is not to be understood as a change in status from casual stallholder to regular stallholder without first having satisfied the conditions for this.

## STALL SETUP & OPERATING PROCEDURES

On the day of the market, regular stallholders can go straight to their site and set up. Market grounds open at 6.00am. Stallholders must be on site by 7.15am or they risk their site being allocated to a casual for the day. If this happens, the regular stallholder will have to relocate for the day, providing a site is available.

### Stall Setup

- Stallholders must drive in very slowly, with emergency indicators on, and keep to the walkway paths only.
- Stallholders must not drive across stall sites as this creates unusable or muddy sites, especially when wet.
- Stallholders are required to park off of the walkway, so other vehicles can pass, and then unpack.
- Before the stall setup, stallholders are required to remove their car and park off-site.
- When setting up, stallholders are requested to put their awning up last (around 8am) so as not to narrow the walkway for other passing cars. The awning is the front of your stall and must be within your allocated stall area, not blocking the walkway.
- Stallholders must have all vehicles and trailers, not used as part of a market stall or on a designated car site, removed from the market area by 8am at the latest. There is stallholder free parking off Gilmore Crescent, behind YACS.
- All vehicular movement within the market area must cease by 8am, for the duration of the market, which is until 3.15pm. This provision is a requirement of the Traffic and Parking Management Plan and is a condition of the market license. Breach of this may put the market license at risk.

### End of Day Pack-down

- Stallholders can begin pack-down at 3pm, not before.
- Stallholders are requested to remove their awnings and signage from all walkways first, to clear for traffic.
- Stallholders are required to pack down their products and marquee BEFORE bringing their car on site.





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- No vehicles will be allowed to drive on site before 3.15pm.
- No vehicle that is parked on site is allowed to be moved until 3.15pm. This means, not leaving their location at the stallholder's site or lining up at an exit gate.
- Stallholders are not allowed to block other stallholders when loading their car.
- The maximum speed limit is 5 km/h (a slow walking pace) in an area shared with pedestrians, especially children. Be particularly careful when reversing.
- Cars entering and leaving at the gates may be under the control of market staff. Drivers are only to proceed as directed by them to facilitate easy and safe movement.
- The stallholder parking area off Gilmore Crescent must be vacated by latest 4.45pm at end of markets as the gates will be locked and your car will be locked in.

## Text Helpline

Stallholders are requested to use the Byron Bay Markets text helpline to report any concerns, ask questions or get assistance fast. Please **text** our helpline: 0499 755 500. Do not **call** this number, use text only.

## No Mats, No Market !

All stalls are required to have mats in the full extent of foot traffic in your site, especially at the front to the pathway where it might be sandy. There has been significant plastic bits from mats being left behind at sites, so clean this up. Get good quality mats and think of the environmental impact, use sustainable materials where possible.

## Marquee Weights

No pegs or stakes are to be used to hold your marquee down at Denning Park, only weights. The windy situation at the beachside where gusts can be 20 to 40 kph higher than mild wind speeds is sufficient to lift a marquee and send it crashing into other stalls or people.

Stallholders are required to have at least an **8kg weight on each leg** of their marquee, that is firmly attached. One of the most affordable weights, the Plastic Base Pod is 8kg filled with water and 11.5kg filled with sand. Marquees cannot be secured by ropes tied to trees, but if your car is parked behind, you can tie off to your car.

Any stall that does not have adequate weights on their marquee will not be able to set up their canopy - that is at least an 8kg weight firmly attached to each marquee leg.

Stallholders need to carry to the market an emergency set-up kit for stormy/windy weather which may come unexpectedly. This would include:

- spare rope for tying off to vehicles (not to trees)
- at least four sandbags/water-weights to secure feet of marquee
- heavy cable-ties or rope

Safe setup procedure in windy weather is using at least two people per marquee. Keep the marquee low while weights are attached. The marquee can then be raised up. Additional ropes are then tied to weights or a car. Invest in a good quality marquee as cheap marquees are known to snap metal struts in even

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mild gusty weather.

## **Stall Perimeters**

- Stallholders must ensure that all trading activity is undertaken within the boundaries of their stall.
- Signs, A-frames, product, display racks and other equipment must be within the stall boundaries at all times. Encroachment of stallholders activities into the walkway blocks traffic flow, diverts customers away from other stalls and is a danger to customers. Stalls, including your front awning, must be behind the front setback line.
- Stallholders are required to keep all access areas clear for emergency vehicles and disability access.

## **Shade Umbrellas and Awnings**

- Stallholders may erect shade umbrellas in front of their stall to shade sun-and-heat susceptible products, following consultation with the market manager. Umbrellas must be securely weighted and not create trip or wind hazard, or impede traffic flow
- The front awning must be behind the front setback linemark. The use of awnings must also not encroach on other stallholders' space

## **Vehicles**

There is concern that too many vehicles are being parked at the market, effecting the environment and that it looks unsightly in some areas, especially the roadside. This could have a detrimental effect on continued use of the site for all vehicles. Consider if you really need your vehicle onsite, not just, I want access to some stock.

Only one vehicle per stall is allowed on site if that is easily parked behind your stall. Otherwise there is free parking for stallholders nearby in the grass reserve off Gilmore Cres (behind YACS).

Stallholders at Clarks carpark area of the market are restricted in parking on site. I remind stallholders that they are not to park within 3m of the base of a Banksia tree (bottle brush flowers) as this may damage the shallow root base. Do not park your car in steep slopes or soft sand areas where you might churn up the ground or become bogged.

## **Work Health & Safety**

Stallholders are required to have in place, and on site, Safe Working Procedures and Emergency Plans relating to The Occupational Health and Safety Act for employers and employees, especially in food preparation areas.

Stallholders must respond co-operatively to any direction given by management in relation to the operation and occupation of their stall, equipment, goods and vehicle during operating times and especially any direction of a security or safety nature.

It is the stallholder's responsibility to determine what statutory permits, registrations, licenses or insurances are required by the them to operate their business at the markets. The stallholder must keep these updated and supply management a copy of these renewals, especially insurance. It is the

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responsibility of the stallholder to ensure that a renewal copy of their Certificate of Currency is forwarded to the market manager annually. If insurance is not current, the stallholder will not be allowed to trade.

## **Hindering of other stallholders**

A stallholder must not hinder another stallholder in the conducting of their business. Such actions include:

- Smoke from cooking
- Loud music
- Intrusion of stall space
- Plagiarism
- Vocal or physical abuse
- Defamatory remarks or comments regarding a stallholders product

## **Spruiking**

Calling out to attract the attention of potential customers to their products or services is not permitted within the market.

## **Squatters**

Squatting is not allowed and squatters will be expelled from the market. Anyone attempting to occupy any part of the market to sell a product or service, or provide it free, without permission; or without registration; or without paying a fee; or without insurance; will be expelled from the market.

## **Hawkers (Roaming Sellers)**

People wishing to sell without a designated stall site must seek market management approval. Hawkers are allowed only if their product can only be sold by moving around the market or if it is inappropriate for a fixed stall site. Under no circumstances are hawkers allowed to sell food. Hawkers will be charged a minimum stall fee and must have their own public liability insurance. They are required to make an online registration and pre-pay before attending.

## **Pamphlet Distribution**

Stallholders are permitted to handout, from within their stall, product information sheets to interested customers, but there is to be no random handing out of material to any passersby. These inevitably end up as trash on the ground.

## **Campaigning**

No one is allowed to campaign, leaflet or petition throughout the markets without the express permission of the market manager.

## **Music**

All music played on market grounds is subject to market management approval. Approval to play music in a stall will only be considered if it directly relates to the sale of a product (e.g. selling CDs) and does not cause any disturbance to neighbouring sites.

As required under Byron Shire Council's market policy, no electrical amplification is allowed other than a public address system for the market management and for the band.

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## Smoking and Alcohol

Smoking is not permitted within stalls or the markets. No alcohol is to be consumed within any stalls or the markets, except, with a liquor license, providing samples for customers.

## Dangerous Equipment and Installations

Stallholders may only install or use within their site, equipment and facilities which are reasonably necessary for and normally used in connection with the permitted use of their stall. They are not allowed to install or bring onto the site machinery, equipment, chemicals or other dangerous substances which may pose a danger, risk or hazard.

## Employees & Assistants

The stallholder is responsible for the operation of the approved stall, but may assign others to operate it:

- A partner
- A relative or friend of the stallholder
- An employee of the stallholder

Any person assigned to run the stall, by the owner, must be aware of the rules and regulations of the market, but ultimately the stall owner is responsible for the actions of those people managing their stall. Stalls must be open and properly staffed for the entire trading period.

## Waste

The stallholder is to leave their site clean at the end of the day and take their own rubbish with them. There is limited space for waste disposal and the first priority is that the market's bins be used by the customers. Stallholders are not allowed to use the market bins, including the large Richmond Waste bins.

## MOVING SITES

Regular stallholders wishing to move to a new site may apply to management at any time by email with their request. In considering applications to move sites, market management will take into account the overall needs of the market.

Any move to a new site will depend on the following:

- Adequate power supply, trading position of stall and size of sites available.
- Product does not create conflict with neighbouring stallholders around new or old site
- The move does not leave a hole in the products sold at the old site.

When prominent or corner sites are allocated, priority will be given to stallholders who sell 100% local self-made craft in line with market policy. The final decision on any move will be made by market management consistent with the need to maintain or create diversity and enhance the overall appearance of the market.

## SHARING A STALL SITE

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Stallholders cannot allow their site to be used by another person during their absence or share with someone who has not been through the registration process, without first notifying management and receiving approval, which would include registration of the person's business.

If a stallholder wishes to share their site with another stallholder, they must notify management before 7.30am at the Market Information Tent. There is always a long list of casual stallholders and they are allocated sites at the market in order of priority.

## INTRODUCING NEW PRODUCTS TO YOUR STALL

Any stallholder wishing to introduce a new product must apply for permission from market management. Priority will be given to stallholders who sell 100% local self-made product. The final decision on any addition will be made by market management consistent with the need to maintain or create diversity and enhance the overall appearance of the market, without creating conflict with any existing stalls with the same or similar product.

Stallholders may not diversify outside their main product categories. Of course a dress stall can introduce different dresses, but cannot introduce shoes, bags, or furniture. Therefore, art/craft stalls cannot introduce food; food stalls cannot introduce other non-food products, and vice versa. Food stallholders may not diversify outside their main course, sweets, or drinks categories. Therefore, drink stalls cannot introduce food; dessert stalls cannot introduce other foods or drinks, and vice versa. If you are unsure just contact management to clarify your situation.

Market management will consider the following guidelines in determining whether a stall can add new products. Does the new product:

- Fit within the stall's main product line category.
- Create conflict with products sold by other existing stallholders.
- Fit within the general theme of the stall's existing products (i.e. a Mexican food stall cannot sell Japanese food).
- Does the stallholder make the new product.

## INDIGENOUS CULTURAL AND INTELLECTUAL PROPERTY (ICIP)

There is a growing presence of fake or inauthentic Indigenous 'style' arts and craft products being passed off directly or indirectly as legitimate 'Aboriginal art' products throughout Australia, estimated at 80%. They may be made by non-indigenous Australians or imported from countries like Indonesia or China, or an Indigenous artist didn't license their design on the product to be reproduced.

In this way the indigenous artist and their community have their culture misrepresented and receive no

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benefit or payment from this fake art. The Byron Markets respects and values Aboriginal and Torres Strait Island culture and customs and opposes their exploitation through the selling of such inauthentic products.

To assist customers in buying a genuine indigenous product, stallholders may display a certificate of authenticity, an authentic Aboriginal art label, or at least an Australian-made label. The stallholder can display the name of the artist/s, where they are from and information about how/where the product was made. These measures and having your staff able to talk to these points saves you from accusations of fake.

Byron markets encourage stallholders to be transparent in presenting their products so that customers are clear what they are buying and there is no misunderstanding by omission - is the product Australian made; does the product have an indigenous component (eg painted); is a licensed image reproduced on a product (eg teeshirt).

Byron Markets asks stallholders to be honest and culturally sensitive about their products and not sell a product that is fake or inauthentic Indigenous 'style' arts or craft.

Stallholders making claims that are misleading or untrue may be reported to the Office of Fair Trading and the ACCC (Australian Competition and Consumer Commission), who can take action against unscrupulous operators.

This includes stallholders who, by omission, misrepresent a product as indigenous or actually lie, saying the product is made by indigenous people when it is not or cannot be verified. Selling such products will jeopardise the stallholders continued presence at the Byron markets.

(This policy has been created with assistance from The Bundjalung of Byron Bay Aboriginal Corporation (Arakwal), and further information/assistance about ICIP can be obtained from them at [www.arakwal.com.au](http://www.arakwal.com.au))

## RIDES AND DEVICES

No mechanical ride or amusement device will be allowed to operate at the market unless the owner/operator has received specific approval from Byron Shire Council for the activity they propose. The operator of such a device must hold a public risk insurance policy of at least 20million dollars and the policy must specifically indemnify council from any claim arising from, or incidental to, the holding or conducting of the market. This indemnity must also include the Minister for Land.

Rides or devices of this kind will be positioned on an outer or edge row of stalls and are to be surrounded by an adequate barricade, fixed rope or rail to keep the public clear of the operational area.

## HOW TO OBTAIN A REGULAR SITE

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Regular stall sites are only issued to Byron, Ballina, Tweed and Lismore shire residents. In order to apply for a regular site, it is necessary for a stallholder to attend the market as a casual stallholder for a period of 6 months minimum, in consecutive months, in order for their product to be verified and their commitment solidified.

Byron Bay Shire Council requires, 10% of sites be left vacant for casual stallholders. When the markets are at that limit, then regular stall sites only become available when a regular stallholder decides not to attend the markets anymore.

Market management does not keep a waiting list for regular sites. When a regular site becomes available, it is allocated according to:

- the priority category for stalls
- has a gap been left in a particular product range
- how long a stallholder have been a casual
- what diversity and mix will improve the overall markets
- the stallholder's expressed interest in becoming a regular (by email to [marketsinfo@byroncentre.com.au](mailto:marketsinfo@byroncentre.com.au))

## REGULAR STALLHOLDER REVIEW

Stallholders who attend regularly may be reviewed annually and assessed against the market management review criteria together with the market manager's assessment of the stallholder's overall contribution to the atmosphere and culture of the market.

## PAYMENT FOR A SITE

### Payment Options

Stallholders can pay for their site:

- online, using the invoice sent approximately 10 days prior to the market.

Payments can only be made up until the Thursday before the market when the computer system is closed for processing.

Questions about payments are through Email: [marketsinfo@byroncentre.com.au](mailto:marketsinfo@byroncentre.com.au) (bookings & payments) or Ph: (+61) 2 6685 6807 (extension 3 = markets, then ext 1 = market admin, payments, registration)

### Payment Invoice Not Found

Occasionally stallholders report that they cannot find their invoice in their email inbox. Markets 'Stall Manager' payment system keeps a record of all email invoices sent. It is the stallholders' responsibility to pay for their site before the market. It is not the responsibility of market management to chase payments.

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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If stallholders can't find their payment invoice, before contacting administration, they are required to consider the following and act accordingly:

- The invoice email includes a link to pay. This link-inclusion sometimes is mistaken by an email provider as a spam email. Stallholders need to check their spam folder to see if the invoice has been deposited there.
- If the stallholder has a roll-over, they will not be sent an invoice, because they do not need to pay. It is the stallholder's responsibility to keep track of their roll-overs. Stallholders need to check their roll-overs before inquiring of market administration why you have not received an invoice.
- If after going through the above points the stallholder still cannot locate their invoice, they need to check their security setting with their email provider. It may be that the security settings are blocking the email because of the link.

## FAILURE TO PAY

It is the stallholders' responsibility to pay for their site before the market. It is not the responsibility of market management to chase payments. If a stallholder does not pay by the Thursday before the market and still attends the market, they will have to pay on the day. They will be charged an administration fee of \$10, regardless of their reasons for not paying. Payment is by cash-only or card at the information tent.

If the stallholder continues to be late with their stall fee, their site will be in jeopardy. Stallholder co-operation is appreciated in this matter. Non-payment by a stallholder for any market site rental fee will result in a breach of the rules. Remittance of the correct fees is a pre-requisite for continued attendance as a stallholder.

## ROLL-OVERS

- A roll-over is when the fee is paid for the site but is not used i.e. the stallholder does not attend the market. This payment is then applied to their regular site for the next market.
- Regular stallholders are eligible for 3 rollovers per calendar year. After this, if a regular stallholder pays their invoice and doesn't attend, they will lose their fee.
- At Byron Bay Markets, there are no holding fees for stall sites.
- If a casual stallholder cannot be accommodated during morning allocation at the market, they will have their fee refunded.

## NON-ATTENDANCE & AWAYS

When a stallholder pays their invoice, this is confirmation that the stallholder is attending the next market.



# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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If a stallholder does not pay before the markets, market management assumes the stallholder is not attending. Market management may choose to allocate that regular site to a casual stallholder for the next market.

If a regular stallholder misses 3 consecutive markets WITHOUT telling market management, they may forfeit their site. Market management will check with the stallholder, by phone or email, before taking their name off the allocated site, as long as the stallholder is reachable.

If a stallholder requests market management to hold their site for consecutive months, it is up to the discretion of market management to hold the site for an extended period of time. A written request is required; verbal requests will not be processed.

## WEATHER

The markets are an all-weather event. Come well-prepared for doing business in rain, wind or heat. Weather forecasts for the North Coast NSW are made on a regional level based on the entire North Coast, but Byron weather may be very different as it is the most easterly part of the coast. There may be some showers early in the morning that dissipate, and customers quickly take the advantage to come to the market as the weather clears up for the day.

Any decision to cancel a market due to unsafe weather conditions will be made by market management in consultation with the stallholder committee members present, on the morning of the market - and not before. This would rarely happen and only if conditions are deemed severe enough to create a risk to health and safety, like road flooding, bush fire in the vicinity, extended torrential rain, or gale-force winds. Cancellation would be notified on the Byron Bay Markets Facebook Page between 7 - 7.30am.

The decision as to whether the market proceeds would be based on the following grounds:

- potential health or safety hazards to the public, stallholders and market staff
- the state of the weather and the grounds
- the potential for damage to the market grounds
- the viability of the market and the support demonstrated by stallholders

If the weather deteriorates during the day, a stallholder may only pack up with permission from market management, where there is a possibility of damage or danger. If a stall is allowed to pack up (e.g. stallholder has forgotten to bring pegs and weights on a very windy day and their marquee is damaged), they may not leave unless permission is given by market management, as this leaves gaps in the market and can cause other stalls to prematurely pack up, although the majority of stalls may still be doing good business and want to stay.

If market management makes the decision to cancel the market, stallholder fees will be rolled over to the next market.

Market management is not liable for any loss damage or injury whatsoever resulting from inclement

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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weather conditions or any decision in relation to the continuation or cessation of trade during inclement weather conditions.

## INSPECTIONS

Both market management and Byron Shire Council carry out periodic stall site inspections. Stallholders must ensure that their stall conforms to Byron Shire Council health and safety requirements and all licensing for their stall. They must also comply with the rules & regulations set out in this document.

## LICENSES

**Food stalls** must be licensed by Byron Shire Council and abide by health regulations. Only licensed food or drink stalls can sell food or drinks (including cans) at the market.

**Plant stalls** must be licensed by the Department of Agriculture.

**Second hand stalls** trading in “high risk of theft” goods must obtain a licence.

**Haircutting, henna tattoos, face painting and activities involving skin penetration** are subject to strict government regulations and Council approval must be obtained. Written evidence of approval must be shown to the market manager.

**Stallholders selling goods by weight or measure** must have approved weighing or measuring instruments.

Contact the Department of Fair Trading for information regarding business name registration, second hand dealer’s licence or selling goods by weights and measure. Business names must be registered in accordance with the requirements of the Business Names’ Act and stallholders must display this certificate.

## INSURANCE

Stallholders are required to provide a current copy of their Public Liability Insurance policy for trade at markets with a minimum \$10M limit. If the insurance policy is in a business name, then proof of business association in the stallholder’s name must be provided.

### Updating Insurance Annually

Stallholders must provide a copy of their updated insurance each year, as it falls due, to continue operating at the markets. Emailing a digital copy is preferred. It is the responsibility of the stallholder to provide this up-to-date information, it is not the responsibility of management to chase stallholders for

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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their updated insurance information. Should a stallholder not submit an update of their insurance, they will not receive an invoice to pay and will not be permitted to trade.

## **Liability**

If an incident happens on a stallholders site and they do not have current Public Liability Insurance, they are not covered by the markets insurance. The stallholder is liable for any damages or injury caused.

## **WHS (Workplace Health & Safety)**

The Byron Bay Markets are committed to providing a safe and healthy work environment for all employees, volunteers and stallholders and provide a market that protects the public from injury, promoting the health, safety and welfare of all.

Stallholders must ensure their stall also has Safe Work Procedures to make their worksite (their stall site) a safe work environment for themselves, their employees and the customers. For more information visit [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Workplace Health & Safety at the markets takes in account that:

- Accidents and incidents at the Byron Bay Markets are reported and responded to appropriately and avoided where possible;
- Ensures that stallholders and market management comply with all relevant Federal, State and Local Government requirements;
- Provides specific rules to assist in providing a safe market environment for staff, stallholders and the public;
- Sees there is a consultation mechanism between stallholders and market management over safety issues.

## **Safety**

Stallholders using clothes racks, umbrellas, marquees and other structures must ensure that these are securely anchored and do not fall on anyone or blow over. Stallholders are personally liable for any damage caused by their property on or around their site.

## **Fire safety**

The following fire control equipment is kept in the Information Tent:

- 1 x 9kg chemical fire extinguisher
- 1 x 1800mm x 3200mm fire blanket

Any stallholder cooking with or using electricity or gas equipment is required to have a fire blanket and an annually tagged fire extinguisher. It is the responsibility of the stallholder to ensure they know how the extinguisher is operated.

## **Emergency Management Plan**

In an emergency situation, contact the market manager immediately.

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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The manager will:

- liaise with fire, police, or ambulance as required
- ensure the safe evacuation of all occupants from the market site
- direct occupants of the market to assembly points

## **Incident report procedure**

Any accidents or incidences that occur must be documented in the Incident Report Book at the Information Tent. This includes the contact details for all people involved including any witnesses.

## **Noise Control**

As required under Byron Shire Council's market policy, no electrical amplification is allowed other than a public address system for the market management and for band or performers.

## **FIRST AID**

In a first aid emergency, contact the market manager. A fully stocked St John Ambulance first aid kit is available at the Information Tent at all times.

A qualified first aid provider is also on call at market stall # B 23 (opposite the Denning Food Court), where anyone - customer, stallholder or market staff, can go for assistance. Stephanie's phone number is 0426 502 127.

## **STALL & PERSONAL SECURITY**

Stall and personal security is primarily the responsibility of stallholders. Having displays which do not allow easy access to valuable items, keeping displays neat so stallholders can see where people are in their stall and keeping cash secure or on their person are all good tactics. If a theft does occur stallholders should contact market management who will contact and co-ordinate with local police.

## **TOILETS**

Portable public toilets are located at Denning Food Court, the Playground, and Clarks Food Court. If there is a problem with any toilet, please contact the market management please text our helpline: 0499 755 500. Do not call this number, use text only.

## **WASTE**



# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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## **Plastic Free Byron**

Byron Bay Markets supports a plastic free Byron and requires all stallholders to find alternatives to single-use plastic, particularly plastic bottles, straws, lids, takeaway containers, food ware (cups, plates & cutlery), and bags. Yearly inspections will be carried out to ensure that stallholders are compliant.

## **Garbage**

Rubbish bins in groups of two are situated around the market grounds for the use of customers. There is one for recyclable waste and one for general garbage.

Stallholders are to leave their site clean at the end of the day and take their own rubbish with them. There is limited space for waste disposal and the first priority is that the market's bins be used by the customers. Stallholders are not to use the market bins, including the large Richmond Waste bins. At the end of the day stallholders may check with market staff if there is any spare space in the large Richmond Waste bins that they may utilise.

Please ensure that stall areas are kept clean during the day and are clear of litter at the end of the market. All stallholder rubbish is to be taken home. No styrofoam boxes or any other non-recyclable waste is to be deposited at the market site or bins.

Food stallholders are encouraged to bring their own wheelie bins for outside their food stall for customers use only. These bins may be emptied into the market dumpsters.

## **Compostables**

Byron Shire Council requires all waste to be kept outside food vans during trading and bagged in clean bags for transportation.

Compostable products must be used to serve food and drink that is to be consumed at the market, i.e. paper plates, cups and straws, and wooden or cornstarch cutlery.

## **Recyclable Waste**

Commercial drinks must be in recyclable containers (i.e. cans and PET bottles). Water is to be sold in recyclable containers or paper cups.

Flattened cardboard can be deposited in the appropriate (smaller) bin situated at the entrance near the corner of Somerset and Butler Streets.

## **Clean Your Site, or Pay For Clean-up !**

Crucial to staying at the Denning Park site is that we need stallholders to do their part and look after that environment by removing ALL rubbish at the end of the market. This includes:

- Plastic ties / string / plastic string / rope
- Plastic edgings or scraps from ground mats
- Packing materials - bubble wrap, plastic, cardboard
- Product labels, hooks, coat hangers
- Food scraps or waste, including oil spills





# BYRON COMMUNITY MARKETS RULES & REGULATIONS



- Food packaging, cups or cutlery
- Sand or fill removed from marquee weights

Two staff will be assigned to check every stall site and clean-up where necessary. If there is rubbish on your site area or from your business, there will be a site clean-up fee of \$50, payable before you can attend the next market.

## ELECTRICITY

Stallholders using electricity, whether from the mains, by generator or any other source must follow these directions:

- Power outlets may only be used with the permission of market management.
- All powered stalls must use earth leakage circuit breakers with a 15-amp maximum power limiter.
- Electrical leads must be at least 2.4 metres above ground level.
- Electrical leads must be clear of public walkways and not be a trip hazard.
- Cables, joiners and van sockets must be water-resistant.
- All electrical cables and equipment must be tagged by a certified electrician in accordance with AS 3002-1985 'Electrical installations - Shows and Carnivals'. Leads need to be regularly tested every 12 months and the current tag must be attached.
- Any stallholder found to be attaching their own tags and/or falsifying tags shall be banned from the markets. This poses a serious risk to employees, market staff and customers.
- Old cables with corroded pins are not to be used as they fuse and burn out the power box points.
- All electrical fittings, equipment or materials are subject to inspection by persons appointed by market management.
- Electrical compliance testing will be conducted annually. Any electrical equipment without a current compliance tag will be tested and tagged at the stallholders' expense.
- If any such electrical fittings, equipment or materials are deemed not to comply with regulations, or market management deems them to be unsafe for any reason, they shall be removed from the site at the expense of the stallholder.
- All electrical malfunctions must be reported to market management.
- The electricity at the markets will be turned off at 4.00pm.

### Generators

- Generators can only be used with prior market management approval.
- Generators should not be louder than 75db when working under a load as this can affect the whole ambiance of the market.
- Market management and Health Officers can ask a stallholder to turn off their generator if it is too loud.
- Generators should be placed a safe distance from any work areas to ensure staff and the public are not affected by fumes or noise.

## GAS

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



- The gas installation on any food or other vehicle, or for use within a stall, must be installed by a licensed gas fitter.
- Installation must comply with the appropriate provisions of AS11596 Storage and Handling of LP Gas and AS5601 Gas Installations or any Australian Standards that supersede those Standards.
- A valid and current compliance plate must be affixed to the vehicle.

## WATER

- Taps for water are provided along Denning Park. From time to time during drought conditions the Byron market will restrict water usage as determined by Byron Shire Council.
- Hoses should not cross public walkways or be placed where they may be a trip hazard.

## STALLHOLDER PARKING

Adequate customer parking is a concern of the market management in attracting more people, especially locals. When a stallholder occupies a public space, this could have been used multiple times by customers.

All stallholder cars must be off-site by 8am unless allowed on site at Denning Pk where only one car per site is permitted. Stallholders are required to park their vehicles in the free stallholder carpark at the end of Gilmore Crescent.

A parking attendant will be present to help stallholders park. Stallholders are required to follow their directions. Car drivers are required to park rear-in where possible. This will make departure easy and quicker. This carpark remains locked between 9am and 3pm. If a vehicle needs to be moved during this time, contact the market Information Tent.

## SELLING OR LEASING A BUSINESS

Market management is happy to support a stallholder in the sale of their business. In this process, it is important to understand the stallholder's responsibility to management, and management's responsibility to the stallholder. This applies whether the stallholder's intention is to transfer, sublet, franchise or sell to any other person.

When a stallholder is selling their business, the sale does not include their site at Byron Bay Community Markets. This is because market management does not own the Butler Street Reserve site, and neither does the stallholder. Market management has a 5 year lease to run the markets and the stallholder leases this site from management on a market-by-market basis. Market management is happy to discuss the continued use of the site a stallholder leases, with the new owners and support this transition.

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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## Changing The Product Range

If a proposed new owner wants to start selling different products to what a stallholder already sells, there is a process to go through.

A meeting with the new owner and market management is crucial. Management needs to know if the new owner intends to change the product range or service type before we approve the continued use of the site as this could affect other stallholders at the market or change the category of a stallholder's products.

All stallholders who wish to sell or lease a business must abide by the following procedure. Failure to comply may result in cancellation of the stall's regular site or deny use of the site to the new owners.

Stallholder's responsibilities for sale of their business:

- The current owner must notify market management when they put their business up for sale.
- As a matter of courtesy, the stallholder must notify surrounding stallholders that the business is up for sale.
- Before the sale of the stall, the prospective buyer must meet market management to ensure they are aware of policies and rules and regulations that affect the stall and to sign an agreement with market management.

When the proposed buyer meets with management, their operation will be reviewed. If the buyer does not reside in Byron, Ballina, Lismore or Tweed Shires, then the stall would be re-categorised to a casual status. If they want to introduce new products, this will be considered on how it will affect other stallholders at the market and may change the categorisation of the stall or be prohibitive.

Market management reserves the right to make changes at the time of sale. Although rare, when the stall's site is reviewed, sale of a business may not guarantee that the new owner will retain the same site. Site relocations will be reviewed on a case-by-case basis at the time of sale and take in account changes at the market and surrounding stalls. If a stall is relocated, the new owner would have two markets at the existing site to inform customers of the new location. Any existing stall site that occupies two or more sites could be reduced at the time of sale.

At handover of a business, a buyer must fill in a new market application form online to provide all their details to market management.

## MARKET INFORMATION TENT

The Information Tent is located behind site B 24 opposite Denning Food Court.

The Information Tent provides:

### **Customer enquires and lost & found**

*For example: Where can I find some honey? Where is the ATM? I found these keys on the ground. I think*

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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*this child is lost!*

These will be dealt with by the information tent officer and recorded if required.

### **Stallholder on-the-day onsite issues that need solving immediately**

*For example: A toilet is blocked. The electricity has shorted out. Someone is injured.*

These will be dealt with on the spot and reported on if needed. Market management will address the issue in terms of urgency and priority. The Stallholder will either speak directly to the manager or leave a message for them with the Information Tent officer.

### **Stallholder enquiries or issues that are not urgent or not happening on-the-day**

*For example: I would like to add something to my product range. I have feedback about ... and need to talk to someone.*

This is the type of issue that can be dealt with on a non-market day and will not be addressed at the market. It can be handled by leaving a message for management to address after the market when they are in the office, or by sending an email through to [sundaymarkets@byroncentre.com.au](mailto:sundaymarkets@byroncentre.com.au). Some of these issues can be addressed by one of their Stallholder Committee Representatives.

### **Complaints from customers or stallholders**

*For example: I am unhappy with ... I need to report an incident.*

These may be an on-the-day issue, in which case the management will deal with it in terms of urgency and resources. If it is the type of issue that can be dealt with on a non-market day and is not urgent, it will not be addressed at the market it will be dealt with in office hours. A complaint form needs to be filled out and all information needs to be recorded in writing. Please see the 'Complaints' section at the end of this document

## **BANDS, PERFORMERS & BUSKERS**

### **Attendance at Byron Bay Markets**

All bands, performers and buskers are covered by the same rules and regulations as applies to stallholders, where this is applicable. This includes:

- WHS (Workplace Health & Safety)
- Electricity
- Parking
- No Smoking Or Alcohol
- Animals, Pets & Dogs
- Social Media Policy
- Code Of Conduct

Performers who have questions or concerns can ask staff at the Information Tent or speak with one of the Stallholder Representatives.

### **Bands & Performers**

To be eligible to perform at the Byron Bay Markets a band must:

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



- 
- provide a copy of its current public liability insurance to market management.
  - be able to provide a tax invoice for payment of an appearance fee.

A tent area, with electricity supplied, is provided as a performance space but the band must provide its own PA and mixer, if required. Bands may also sell their own CDs and merchandise from the tent.

Market management advertises bands' appearances in the public notices of the Byron Shire Echo and Byron News and in the gig guides in the Byron Shire Echo, Byron News and the Northern Star. Bands can contact the above newspapers with their own bios for more PR.

Bands are encouraged to promote their attendance at the Community Market through all platforms available to them.

## **Requirements for Buskers**

Buskers must register at the market Information Tent before they can perform at the Byron Bay Markets.

Busker Registration:

- Read the details in the buskers' folder at the Information Tent.
- If needing clarification, check with market management before signing the registration form.
- Complete and sign the registration form. In signing this form, a performer is acknowledging that they have read and understand the conditions on the information sheet.
- People under 18 years of age must have a parent or guardian sign the form
- If applicable, provide a photocopy of their public liability insurance cover and receipt of payment to staff.

Buskers' public liability insurance:

- All buskers and street performers who interact with the public and/or use sharps and/or fire must be covered by public liability insurance.  
They must check their insurance to see whether asking members of the public to join or be involved in their act, may negate their public liability insurance.

Buskers may perform in an open space on the market ground, but must move on after 20 minutes of performing in one spot. They are required to choose suitable locations where pedestrian access will not be blocked as a result of a crowd gathering to watch or listen to a performer performing. The busker's audience must not block the entrance to stall sites or hinder trading. The busker can encourage customers to move in closer.

Market management reserve the right to ask buskers to stop performing as a result of inappropriate behaviour or if access by market goes to stalls and/or exits are blocked as a result of a busker's performance.

Byron Shire Council's market policy states that no electrical amplification is allowed at the market other than a public address system for the market management and for the band. Buskers can therefore only perform acoustically.



# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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## NO SMOKING OR ALCOHOL

- The Byron Community Market is a no smoking venue.
- The Smokefree Environment Act 2000 makes outdoor food public places smoke-free.
- Owners of food stalls must have 'no smoking' signage displayed on their van/stall. Signs can be picked up from the Information Tent.
- Smoking is not permitted within stalls or the markets.
- No alcohol is to be consumed within any stalls or the markets, except, with a liquor license, providing samples for customers.

## ANIMALS, PETS & DOGS

- Market management does not allow domestic animals or livestock to be sold or given away at the markets. This includes dogs, cats, poultry, rabbits, guinea pigs, rats, mice, birds or fish.
- All dogs, apart from police and genuine assistance dogs, like guide dogs, are banned from:
  - within 10 metres of a children's play area
  - within 10 metres of food preparation or consumption areas
  - recreation areas where dogs are prohibited (Butler St Reserve)
  - wildlife protection areas
- Stallholder's pets are not permitted onsite, in their stall or in the car park. Do not leave your dog in your car. The temperature inside a car can reach 50 degrees C in just five minutes, even when the temperature outside is only moderate and windows are partly open. Leaving an animal in a vehicle may give rise to a legal charge against the owner.
- Any animal that is used for rides and which becomes intractable or poses any danger to a person or other animal must be immediately removed from the market grounds. The area where animals are tethered between use periods must be kept clean. Water containers and other apparatus must be positioned to not pose a hazard to any person.

## CHARITIES

### Charity of the Day

Each month market management invites two local charitable organisations to be the Charity of the Day. The charities collect donations at the two entrances to the market.

They can also raise money through a stallholders' raffle which is drawn on the day. Only these charities can approach stallholders to buy raffle tickets at the market. Each charity is allocated half the market site. Charities should go to the Information Tent for a map of their half.

### Criteria

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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The Charity of the Day is available for non-profit community organisations or registered charities either based in Byron Bay or directly benefiting Byron Bay. Charities must have the relevant 'Authority to Fundraise' licence and their own public liability insurance.

## **Application procedure**

Once a letter of application is received (marketsadmin@byroncentre.com.au), market administration will place charities in a queue based on the time of their last attendance. Charities applying for the first time may be placed before those requesting a second or subsequent opportunity.

Market administration will notify the appropriate charities a month in advance and give them an information sheet.

On market day, charities should go to the Information Tent for identification badges and chalk for adding the charity's details to the noticeboards at the entrances.

Market management has the final discretion on decisions regarding the Charity of the Day.

Charities are asked to inform the market management of their takings for the day so the management can monitor the effectiveness of each market entrance and include the information in reporting.

## **Charity Stalls**

Local charities that reside in or directly assist the people of Byron Bay may apply for a casual stall site at a reduced rate.

## **FUNNY SUNDAY**

Byron Community Market is on the first Sunday of the month. When the market falls on a Sunday that is the 1<sup>st</sup> of April, all stallholders will be required to don a red nose. Funny painted face, clown hair and costume are also encouraged.

## **BYRON BAY MARKETS COMMITTEE MEETINGS**

The Byron Bay Markets Committee comprises of market managers and regular stallholders who have been invited to attend because of their market experience and commitment to Byron Bay Markets.

Meetings are held the week after the monthly community market. Stallholders can contact their representatives to discuss concerns or give suggestions, and if suitable these will be raised at the meeting.

Updates, decisions or actions resulting from the meetings are put into the Byron Bay Markets Newsletter, where appropriate.

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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The committee relies on the support of stallholders, locals, performers and charities to be involved in the decision making process and the development of Byron Bay Markets as a social enterprise. The committee will be reviewed annually.

## NEWSLETTER

Byron Bay Markets newsletter is produced online monthly, the week before the market. It is automatically sent out to all registered stallholders by email. This will keep stallholders up-to-date with any changes or additions to market rules and regulations. Updates on improvements and concerns at the market will also be found in the newsletter.

Also included in the newsletter are:

- Video interviews with the Stallholder of the Month.
- Market marquee and products reviews.
- Notice of workshops and trainings on business skills pertaining to market stalls.

Stallholders may advertise things that are relevant to the markets in the newsletter for a small fee, i.e. when selling their business or selling stall accessories. If a stallholder wishes to access this opportunity, two weeks' prior notice is required.

## SOCIAL MEDIA POLICY

The Byron Bay Markets social media policy relates to all social media channels used under the Byron Community Markets brand, including Facebook, Twitter, Instagram, YouTube and any other digital sites being operated by Byron Bay Markets, Byron Community Centre or Byron Bay Community Association.

Byron Bay Markets welcomes all stallholders to post on the event pages of markets that they are attending, to promote their stall. Stallholders can tag or hashtag Byron Bay Markets in posts advertising their stall, products and/or attendance at markets. We will sometimes share these posts, referencing their business account when doing so.

This policy does not apply to stallholders' personal use of social media where no reference is made to Byron Bay Markets and/or such usage has no connection to Byron Bay Markets or the events Byron Bay Markets runs.

This Social Media Policy exists in order to inform and explain all relevant information and details regarding the expected behavior of stallholders using and connecting with Byron Bay Market's social media channels. This policy covers personal as well as business accounts.

Stallholders must not post a comment or content which is, or could reasonably be considered to be: unlawful, discriminatory, vilifying, menacing, harassing, offensive, threatening, stalking, violent, obscene,

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# BYRON COMMUNITY MARKETS RULES & REGULATIONS



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defamatory, infringing of intellectual property rights, misleading, false, deceptive, fraudulent or spam.

Stallholders must not communicate anything that might damage Byron Bay Market's reputation, brand image, commercial interests, or the confidence of our customers.

Byron Bay Markets stallholders must refrain from airing their grievances, negative opinions and/or views on contentious public issues on Byron Bay Markets social media pages or posts.

Byron Bay Markets may, in its absolute discretion and for any reason, delete any comment posted on its Facebook, Youtube or Instagram channels or any other digital sites it operates.

Byron Bay Markets reserves the right to cancel any future bookings of a stallholder who is in breach or does not comply with the Social Media Policy.

## CODE OF CONDUCT

Byron Bay Markets management is committed to providing a safe and healthy working environment for stallholders and staff. The Code of Conduct has been written to ensure that everyone feels safe and looked after in their place of work and trade. Byron Bay Markets is a community of hundreds of people and families from across Byron and surrounding shires. It is important to respect the lives and the workplace of each and every one of the stallholders and staff, to ensure that they can work together and have a productive and happy marketplace.

Please see the Code of Conduct document for further information and guidelines.  
[https://drive.google.com/open?id=1yJi7uipP1LRQNVX52FMb8RB4xx\\_hTHES](https://drive.google.com/open?id=1yJi7uipP1LRQNVX52FMb8RB4xx_hTHES)

## MARKET MANAGER

The market manager operates the Byron Markets under the direction of the Byron Bay Community Association and ensures compliance with the Market Rules and Regulations. Stallholders are obliged to follow reasonable instructions given by the market manager, based on these Rules and Regulations and the Code of Conduct.

### Authority Of Market Manager

The market manager can withhold or withdraw the stallholder's right to participate at the market and require the stallholder to leave the market site for any of the following reasons:

- A product for sale poses a risk to the health or safety of consumers.
- Non-compliance of the stallholder with a rule or regulation listed in this document posing a risk to the health and safety of consumers.
- Has otherwise acted in a manner that will bring the reputation of the Byron Markets into disrepute.
- Is abusive towards: market manager or staff, customers, or other stallholders, as per the Byron

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Markets Code of Conduct.

- Has not responded adequately to a complaint that has been brought to the stallholder's attention.
- Has not complied with a reasonable request made by the market manager.

The decision of the market manager is final. If the decision is made on a market day, the decision will take effect immediately and be applicable for the entire day's trade.

Any such breach can lead to the withdrawal of the stallholder's right to participate in the market. If the market manager uses the general discretion listed above, they will provide a written justification to the market management and to the stallholder within five working days. The stallholder may appeal this decision by the manager.

Market management reserves the right to accept or reject any stallholder who does not adhere to the market rules and regulations set down by market management and contained within this document.

Market management reserves the right to amend, alter, add, or change any of these Rules and Regulations as the circumstances require. Stallholders will be notified of any significant changes via the market newsletter.

## COMPLAINTS

### Application

This complaint policy outlines the process for dealing with complaints that occur on market day between the following parties:

- Complaints between customers and stallholders
- Complaints between stallholders and stallholders
- Complaints between customers and market management
- Complaints between stallholders and market management

This policy encompasses complaints that occur on market day, and complaints that are not related to market day activity.

In relation to complaints concerning market management a complaint is defined as an expression of dissatisfaction with a market manager's decisions, policies, procedures, charges, employees, agents or the quality of the services provided.

### Objectives

The purpose of this policy is to ensure that all complaints received are dealt with courteously, investigated thoroughly, and resolved as quickly and as fairly as possible.

### Process

- Information on how to make a complaint, and how the complaint will be managed, will be displayed by the market manager at the market information tent whilst the market is operating.

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- Every effort should be made to settle the complaint as soon as practicable after the complaint is made. For example, if possible, a complaint between a stallholder and a customer should be dealt with between the parties at the time the incident that give rise to the complaint occurs.
- If the matter is not settled speedily under, as above, the complainant will be advised that they can record their complaint at the Information Tent. The market manager (and/or their representative) can record the complaint to enable it to be settled later. Alternatively, the customer can provide a written complaint. Complaint forms will be available at the information tent.
- In recording the customer issue, the market manager (and/or representative) must record the name and contact details of the complainant, and a brief record of the nature of the dispute.
- If the complaint concerns a stallholder, the affected party will be advised of the complaint within 24 hours of the complaint being made. Unless expressly requested the market manager will not intervene further in resolving a stallholder/customer complaint.
- If the complaint involves market management or the management of the market, and it has not been resolved on market day, or does not involve a market day issue, then management will endeavour to provide a response within seven days of receiving the complaint.
- If the matter is still not resolved after receiving a response under the complainant can have the matter reviewed by the General Manager of the Byron Bay Community Centre.

## **Other Principles for Dealing with Complaints**

- Anonymous complaints will not be accepted. An exception to this rule may be made depending on; the nature of the complaint, and at the discretion of the General Manager of the Byron Bay Community Centre to allow the anonymous complaint.
- All complaints received will be treated as confidential. The complainant at the time of lodging the complaint may request that their personal details remain confidential.
- At all times the parties are required to interact with respect and courtesy towards each other.
- Information on how to make a complaint, the complaint registration form, and how the complaint will be managed will be made available at the Information Tent at each market. Stallholders will be made aware of this process.
- The Byron Bay Community Association Committee of Management will monitor the number of complaints and this process on an annual basis.

## **COVID-19 Byron Markets Stallholder Requirements**

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Covid-19 Byron Markets stallholder requirements [here](#).

These Rules and Regulations are compliant with Byron Shire Council Licensing Agreement that the BCCA holds for Denning Park.

These Rules and Regulations should be referenced with Byron Shire Council's Sustainable Community Markets Policy, and Sustainable Community Markets Regulatory Code.