



PERTH MARKETS



2. Conduct on Site Guide

1. PURPOSE

The purpose of this Conduct on Site Guide is to outline the expected behaviours by all users and Visitors (including the General Public) on the Site.

PMG may in its absolute discretion, immediately withdraw Site Access rights from any Person or Vehicle if the actions of the Person in PMG's bona fide belief materially adversely impact or risk the safety or health of any Person, or the lawful business of any Person on the Site.

Words and terms defined in the Site Rules and used in this Guide have the same meaning as prescribed in the Site Rules.

To the extent there are any inconsistencies between the Site Rules and the Guides, the Site Rules prevail.

2. INSTRUCTIONS AND DIRECTIONS OF AUTHORISED OFFICERS

- (a) Each Person must obey all lawful instructions and directions given or made by an Authorised Officer while on the Site.
- (b) All Persons, on request by an Authorised

Officer, must provide current details, including but not limited to producing as relevant and applicable a PMG Access Card, High Risk License, Driver's licence, proof of their identity, address and contact particulars and employer details.

- (c) If a Person does not have the required details readily available when the request is made, that Person must present the requested details within 24 hours (or as set by an Authorised Officer) to an Authorised Officer or PMG reception for recording.

3. CONDUCT

- (a) All Site users must not engage in dangerous, anti-social or otherwise offensive behaviour.
- (b) Tenants are responsible for the conduct and compliance of their Tenant Employees, Contractors and Visitors whilst on Site.
- (c) Any of the following behaviours or those outlined in the Site Rules or Site Guide Conditions of Entry could result in a Person's Site Access Card being suspended or cancelled and their being required to promptly vacate the site:

- (i) Interfere with, damage, vandalise, graffiti or wilfully abuse any property belonging to PMG, a Tenant or any other Person;
- (ii) Make use of or otherwise occupy any Common Area within the Site for activities not authorised or considered appropriate by PMG acting in its absolute discretion;
- (iii) Bring into, possess, control, drive or operate any unregistered or uninsured Vehicle on the Site if that Vehicle is required to be registered under any law to be driven on any public roadway;
- (iv) Drive a Vehicle while that Person is unlicensed to drive, or drive a Vehicle in an unsafe or dangerous manner (as determined by PMG or an Authorised Officer in their absolute but Bona Fide discretion) or at a speed in excess of the speed limit signed as applying to the road;
- (v) Engage in any unauthorised or unlawful act in respect of Pallets, bins or crates including but not limited to trading in Pallets, bins or crates owned by other Persons or the unauthorised removal or theft of the same;
- (vi) Sell or deliver any goods that PMG has prohibited for sale at the Site;
- (vii) Use any equipment including Forklifts, Vehicles or any other item without the authority of the owner or Tenant of that equipment;
- (viii) Commit any unlawful act; or
- (ix) Otherwise act in a manner which may (in the absolute but Bona Fide discretion of an Authorised Officer or PMG) adversely affect:
 - (a) The health or safety of a Person, themselves or the property of others; or
 - (b) The reputation of PMG, the Fresh Produce Industry or the broader community.

4. DISORDERLY BEHAVIOUR

- (a) A Person must not:
 - (i) Assault an Authorised Officer or any other person
 - (ii) Use abusive or insulting language to an Authorised Officer or any other person; or
 - (iii) Behave in a disorderly manner or in a manner which causes or is likely to cause a nuisance, annoyance, risk or hazard to any other Person or Property.

5. SMOKING

- (a) A Person may only smoke on the Site within a Designated Smoking Area.
 - (i) Smoking within the CTA is strictly prohibited; and
 - (ii) A Person must not smoke where smoking is prohibited under law.

6. RESTRICTION ON USE OF ALCOHOL AND DRUGS

- (a) A Person must not:
 - (i) Enter or remain in the Site while under the influence of alcohol or drugs;
 - (ii) Bring any quantities of prohibited / illegal substances on to the Site or sell, supply, use, deliver, distribute or consume the same within the Site;
 - (iii) Operate a Forklift, any Vehicle or any other commercial or industrial equipment under the influence of alcohol, any illegal or prohibited substances or any other substance (whether legal or not) which is likely to impair the Person's capacity to operate a Forklift or Vehicle in a safe and proper manner. (To avoid doubt, Drivers must not Operate a Vehicle or Forklift on the Site while their alcohol content is not within the permitted blood alcohol limits as set by the *Road Traffic Act 1974 (WA)*).

7. RESTRICTION ON ANIMALS

- (a) A Person must not bring or allow any animal into the Site unless the animal is confined to the Vehicle of that Person.
- (b) This rule does not apply to an animal used for the purposes of guiding a blind Person or other approved service animals.

8. LAWFUL BUSINESS AND UNLAWFUL ACTS

- (a) A Person, whether in a Vehicle or not, shall not enter or remain on the Site or in any part thereof except for or in connection with a lawful purpose connected with the Site.
- (b) PMG reserves all rights to report any unlawful or potentially unlawful acts committed within the Site to the Western Australia Police or any other relevant authority.
- (c) Specifically, a Person must not while at the Site:
 - (i) Receive goods which are consigned to another Person or unlawfully remove any

general produce or other goods from the premises of a Tenant or from any other part of the Site;

- (ii) Engage or attempt to engage in any activity on Site which is not, in respect of that Person, a permitted use of the Site for that Person;
- (iii) Knowingly aid, abet or otherwise assist a Person in engaging or attempting to engage in an activity which, in respect to that Person, is not a permitted use of the Site for that Person;
- (iv) Steal or wilfully damage or destroy any property belonging to PMG or any other Person.

9. UNLAWFUL REMOVAL OF PRODUCE PROHIBITED

- (a) A Person shall not without authority of the owner of the goods remove any goods from the premises of a Tenant or from any other part of the Site.
- (b) Items left in Buyers Bays after 12 noon on any day may be taken into the possession of PMG by an Authorised Officer who will then
 - (i) Take all reasonable steps to contact the Buyer or Wholesaler in order to arrange return of the goods to the owner, or,
 - (ii) If no owner can be identified it will be disposed of via the Site Waste Transfer Station after 24 hours.

PMG accepts no liability or responsibility to compensate any Person for such goods reasonably considered to be abandoned.

10. TOUTING, UNAUTHORISED SELLING

- (a) A Person must only sell goods or services:
 - (i) Where that Person is authorised by PMG to conduct the sale of goods or services within the Site, or under the terms and conditions of any relevant Tenancy Agreement.
 - (ii) Within the CTA sell any goods where that Person is a selling floor Tenant and is operating from their selling floor Tenancy area.
- (b) A Person, other than an employee of a Tenant or Licensee, must not Sell, offer for Sale or solicit business or cause or permit business to be solicited for any purpose in or upon the premises of a Tenant or Licensee and

without the consent of that Tenant or Licensee otherwise than for or in connection with the business of that Tenant or Licensee.

- (c) A Person must not, without the prior written consent of PMG, buy or offer to buy in the Site any goods or merchandise except on and from a portion of the Site that are premises of a Tenant or Licensee.

11. SITE WORKS

- (a) Any Site works conducted in buildings that contain Asbestos Containing Materials or Insulated Panels can only be undertaken with the written consent of PMG and all works must be completed in accordance with the conditions of that consent.
- (b) Insulated Sandwich Panels must not be stored within a Tenancy Area.
- (c) A Person must not allow any Contractor to undertake any alterations or additions to their Tenancy or PMG's services or infrastructure without the written approval of PMG.
- (d) All Contractors undertaking on Site building work for a Tenant must register with PMG and comply with all PMG registration requirements before entering Site.

12. SIGNS

Placards, posters, advertisements, other sign boards, blinds, awnings, canopy, television or wireless antenna or mast can only be placed by or on behalf of a Tenant outside a Tenancy Area with PMG approval.

13. USE OF FIRE EQUIPMENT

A Person must not obstruct or interfere with fire hoses, hydrants, fire sprinklers, alarms and other security or emergency services and equipment or use or take water from any fire hose, hydrant or fire system for any purpose other than fighting fires.

14. CHEMICALS AND HAZARDOUS SUBSTANCES

- (a) All chemicals and/or other hazardous substances and/or dangerous goods must be stored and handled in accordance with the current dangerous goods safety legislation, the appropriate Material Safety Data Sheet and/or other regulatory requirements and codes of practice.

- (b) A Person must not allow waste liquids, materials or hazardous substances to enter the storm water system or cause any other unlawful environmental impact.
- (c) Tenants must at all times keep and maintain an up-to-date Material Safety Data Sheet and Hazchem information for all chemicals and other dangerous substances within their Tenancy Area and produce the same on demand by an Authorised Officer.
- (d) Written approval for storage of flammable or combustible liquids must be obtained from PMG.

15. CLEANLINESS OF SITE

- (a) A Person must leave areas of the Site used by them in a clean state and remove all Waste and other rubbish at the end of each Trading day.
- (b) A Person must not dump, throw, deposit, or place (or cause to be dumped, thrown, deposited or placed) any waste in the Site, unless in a receptacle provided PMG for that purpose.
- (c) All bulk waste must be taken to the Waste Transfer Station and not placed in bins in the Buyer Bay areas.

16. WASH DOWN

- (a) Tenants and other Site users must not wash down any Vehicles, appliances, equipment or materials in the Common Area without written approval from PMG.
- (b) The wash down of Vehicles, equipment or materials is only to occur in areas specifically designed for such a purpose and at the times specified by PMG. For clarity, Tenancy Areas are required to be fitted with Australian Standard compliant industrial Waste separation devices for any wash down activity to occur within a Tenancy Area.
- (c) PMG may charge a fee for the usage, maintenance, and cleaning of such wash down facilities.

17. FOOD SAFETY

A Person who sells food or food products must always comply with all relevant laws, regulations and permits in regard to the safety of food. This requirement also applies to General Public Access Days and stallholders on Site who sell food products.

