



CUMBERLAND
CITY COUNCIL

Cumberland City Council Australia Day 2022

*Join the celebrations with
Bluey and Bingo!*



Wednesday, 26 January 2022
6:00pm to 9:00pm
Holroyd Gardens, Merrylands

STALLHOLDER EXPRESSION OF INTEREST
INFORMATION AND APPLICATION PACK

EVENT INFORMATION

Cumberland City Council is one of the most culturally diverse Local Government Areas in NSW.

Our Australia Day event is a unique celebration in Western Sydney, targeting local families and residents.

The event will host free activities, firework displays and main-stage acts attracting crowds to our fun-filled celebration.

This year Bluey and her little sister Bingo are also heading to Holroyd Gardens to join the celebrations for smiles, photos and live shows.

Council is seeking suitable vendors to provide food.

Date: Wednesday, 26 January 2022
Time: 6:00pm to 9:00pm
Location: Holroyd Gardens, Merrylands NSW 2160
Target Attendance: 3,000+

HOW TO APPLY

Please complete the application form and return to stallholders@cumberland.nsw.gov.au before the closing date.

APPLICATIONS CLOSE SUNDAY, 5 DECEMBER 2021

If you have queries about your application or eligibility, please contact Council's Events Team on 02 8757 9211 or email stallholders@cumberland.nsw.gov.au

STALLHOLDER FEES

The below fees are inclusive of GST:

Food Vendors	
Council-provided 3m x 3m Food Stall with flooring, mesh walls, sneeze guards and 1 table	\$392.00
3m x 3m space only	\$196.00
6m x 3m space only	\$288.50
9m x 3m space only	\$309.00
Health Inspections	
Low Risk Health Inspection Fee	\$63.50
Medium-High Risk Inspection Fee	\$107.50
Power	
Per 10AMP Power Outlet Per 15AMP Power outlet	\$82.50

STALLHOLDER TERMS AND CONDITIONS OF TRADE

The following Terms and conditions apply to all stallholders who have received approval from Cumberland City Council to participate in the Event.

1. INSPECTION OF SITES

It is the responsibility of the stallholder to trade in accordance with any applicable Federal, State and Local Government laws, and where applicable, comply with the provisions of the *Food Act 2003* and the Australia New Zealand Food Standards Code. Council Environmental Health Officers will inspect stalls prior to and during the event, where considered necessary. Where a health inspection is carried out, you will be invoiced for a low or medium-high risk inspection fee post event. If you are found to not be complying with legislative requirements during the event, please keep in mind that our team are within their rights to shut down your operations and/or seize food which is considered unsafe/unsuitable. Other enforcement action such as the issue of Penalty Notices (fines) may also be taken.

2. STRUCTURAL SAFETY

Stallholders using their own structures are required to secure such infrastructure to Australian Safety Standards and ensure structures are weighted. No pegging will be permitted at the venue. Stallholders may be asked to submit certification by a suitable qualified person (rigger or installer with sufficient experience) for any structure that does not require a building permit. Council will inspect sites to ensure structures are safe and secure. Council is within its rights to reject a stallholder's involvement in an event due unsafe or inappropriate infrastructure.

3. VEHICLE ACCESS AND PARKING

Stallholders are often permitted to drive vehicles onsite. However, please be aware that conditions of entry will change for each event as each Council event is different. Where permitted to drive onto site, stallholders must ensure they do not exceed 5km per hour, ensure hazard lights are on and note pedestrians have right of way. Stallholders will be required to drive on concrete paths wherever possible and follow directions from Council staff and traffic controllers. Stallholders will also be provided with specific times where no vehicle movement will be permitted on site and where any vehicle(s) need to be removed from site. No vehicles will be permitted to drive over telecommunication and electrical pits. Stallholders will have access to street parking and public car parks. No vehicles will be permitted to park onsite unless prior approval has been granted by Council.

4. ELECTRICAL SAFETY

Stallholders using power are required to bring their own electrical cables which must be inspected and tagged by a qualified electrician, tested and within date. Council will only supply the number of outlets as requested in the completed application. Electrical cords should not cross public access ways and must be fully secured. A qualified electrician will be on site to inspect electricals prior to event commencement. Double adaptors are prohibited. Stallholders may only use power boards with an overload cut-out switch. Any damage caused by electrical misuse or overconsumption will attract additional charges. Council is not responsible for any stallholder's faulty equipment.

5. PROHIBITED SALE ITEMS

Sales of the following items are not permitted:

- Objects and publications containing offensive language
- Real or replica weapons and laser pointers
- Animals or live produce
- Adults only products
- Helium and foiled balloons, silly string and air horns
- Articles that could be dangerous to event patrons

For more information on product safety, please view national [Product Safety Rules and Standards](#).

6. APPROVED PRODUCTS AND/OR STALL ACTIVITIES

Stallholders are only permitted to provide stall activities and/or sell goods as approved in the stallholder acceptance letter. Any stallholder selling a restricted product during the event will be asked to cease selling and remove the product or they will be removed from site.

7. FOOD SAFETY AND HEALTH INSPECTIONS

Food vendors are required to conform to minimum safety standards. All food stallholders are required to register with Council as a Temporary Food Premises, and obtain a reference number, prior to applying to trade at Council events. The registration form can be found on Council's website. Food stall holders are required to pay a health inspection fee, and must ensure that the stall complies with:

- NSW Food Authority's [Guidelines for Businesses at Temporary Events](#);
- Council's [Guide for the design and operation of a food premises \(stall\)](#);
- *Food Act 2003* (NSW); and
- AS/NZS Electrical Standards.

Council also requires a copy of a recent inspection report from the relevant LGA. Food Trucks must include a copy of their local vehicle registration and most recent Council Health Inspection report (within the last 12 months) or a health inspection fee is applicable. Food vendors are required to pass an inspection on site to ensure operation meets Council's standards.

If you are unable to provide your Food Safety Supervisor Certificate and/or Certificate of Registration during the inspection, please know that our team are within their rights to shut down operations.

To help reduce the risk of food contamination, bacteria and prevent food poisoning and/or viruses spreading at the event, please ensure that you adhere to requirements and follow these practices:

- Wash hands before starting work and handling cooked or ready-to-eat food
- Wash hands after handling raw food and money, coughing/sneezing, removing waste
- Regular use of food grade sanitiser is required on food contact surfaces
- Use tongs and clean disposable gloves – do not use your hands to handle ready-to-eat food (we recommend you change gloves frequently between processes such as handling cooked or raw foods and when handling money)
- Ensure appropriate facilities are set up within your stall or mobile premises such as handwashing and sanitisation to enable food handlers to practice good hygiene. You must have warm running water and waste water container within your stall.
- Ensure you have safety barriers within your stall space when using heating facilities. i.e sneeze guards
- Food handlers are appropriately trained in food hygiene practices and Food Safety Supervisors must reinforce hygienic practices. The Food Safety Supervisor certificate must be available during the health inspection.
- No smoking is permitted in your temporary food stall or mobile vehicle where food is being prepared and sold. Please refer to the *Smoke-free Environment Act 2000* and the *Smoke-free Environment Regulation 2016*.
- Food vendors should keep vigilant and ensure that food handlers within your stall or mobile food premises are fit for work and not ill.
- All foods are to be stored in conditions that protect it from deterioration and contamination. Cold food is to be stored at less than 5°C and hot food to be stored at above 60°C. It is a legal requirement for food vendors to have a digital thermometer in your temporary food premises to monitor temperatures for food deliveries, production, display and storage temperatures.
- You must provide adequate hot or cold storage facilities for potentially hazardous foods (for example: portable cool rooms, adequate supply of hot boxes and/or ice)
- Ensure all foods are appropriately labelled
- It is recommended that each stall/mobile vehicle has a fire extinguisher and blanket.

8. USE OF LPGAS

Food vendors using LPG at Council events should always read the manufacturer's operating instructions and ensure staff operating gas appliances are trained in safe operation and emergency procedures. Please ensure gas cylinders are:

- Installed by a licensed gas fitter
- Transported in the upright position and are appropriately and firmly secured
- Not damaged, rusty or more than 10 years old
- Secured on a level, non-combustible surface
- Stored externally and not blocking and exits or accessible by the public
- Not used where wind conditions exceed 10km per hour
- Have supply hoses, joints and other connections in good condition
- Placed away from heat and flammable materials or vapours

Before purchasing a new or used refillable LP gas cylinder, ask the retailer to show you the current legible test mark and confirm that the cylinder can be legally filled in NSW. If there is no current legible test mark, the cylinder may not be safe to fill.

9. USE OF CHARCOAL

Food vendors using charcoal at Council events should take into consideration the following:

- Smoke from cooking is able to sufficiently dissipate so as not to cause an accumulation of smoke or odour within the stall/vehicle, or within high use customer/public areas
- Be aware of surrounding food vendors, stalls, performers and event patrons
- Council may require you to be placed in a location where charcoal cooking will be permitted. Please note that positions will vary per different site locations.
- Used coal is to be removed from site by food vendors and/or disposed of in allocated bins as directed by Council staff

10. ACCIDENTS, INCIDENTS AND RISKMANAGEMENT

It is the responsibility of each stallholder to promptly report any incident to the on-site supervisor outlined in your event induction, including but not limited to:

- Property damage
- Illness, accident or injury
- Anti-social behaviour
- Lost children
- Any observed disruptive behaviour
- Any other issues raising concern for the health, safety or security of stallholders or the general public
- Hazards and near misses

11. PERSONAL SAFETY AND SECURITY

Stallholders are required to maintain an appropriate level of personal safety and security for your stall and your staff under your care. Council will not be liable for the loss of goods, cash or personal items, merchandise or damage to any goods including loss or damage as a result of on-site power failure. Stallholders must ensure that, at all times, their stall/mobile vehicles complies with all relevant work, health and safety legislation and the regulations and codes under those Acts; including but not limited to:

- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2017*
- *Workers Compensation Act 1987*
- *Workplace Injury Management and Workers Compensation Act 1998*

All stallholders are responsible for their own staff, equipment, supplies and materials and must ensure that all equipment including but not limited to gas appliances and cylinders are compliant with current and all relevant standards.

Stallholders must comply with emergency evacuation procedures as directed by Council, security and any other authority. Please visit the SafeWork NSW website for more information on [Employer and Business Obligations](#).

12. TRADE REQUIREMENTS AND CONSIDERATIONS

- Payment of stallholder fees constitutes agreement by the stallholder to attend the event on the agreed dates. If unable to attend, stallholders must notify Council's Events Team a minimum of two weeks prior to the event day.
- All stallholders are responsible for any equipment, displays, publications and catering equipment.
- All stalls must be set up and ready to trade by no later than 30 minutes prior to the commencement of the event. Stallholders must trade for the duration of the event.
- Stalls must be supervised by an adult at all times for the duration of the event.
- Stallholders must confine their equipment, displays and signs to the site area and keep all pathways and thoroughfares clear and unobstructed and all signage should directly relate to products being sold.
- Stallholders are not permitted to share, sub-lease or assign site position without prior written approval from Council.
- No stallholder should refuse or fail to comply with any reasonable directive provided by Council's Events Team.
- Political parties are not eligible for participation as a stallholder
- Council may ask you to incorporate event theming into your retail operations
- No stallholder should behave in an improper manner or use language that is threatening or abusive to any other person.
- Stallholders must conduct business and stall activities with the Terms and Conditions outlined in this contract at all times. Cumberland City Council reserves the right to terminate this contract at any time if the stallholder breaches any of these terms and conditions. No refunds will be issued and all site fees paid will be forfeited.

13. SITE LOCATION

Applicants will be assigned infrastructure and/or power requirements as per completed application. Stallholders will be advised of their site positioning one week before the event. Positioning is determined by Council's Events Team and cannot be changed.

Stallholders with genuine practical or logistical reasons for requesting a particular location may contact Council to discuss their request. However, please be advised there is no guarantee of the position being allocated.

14. SITE RULES

The following rules apply to all stallholders participating in Council events:

- Enclosed shoes must be worn at all times
- High-vis vests must be worn during bump-in and bump-out
- Vehicles entering/exiting site must not exceed a speed limit of 5km/hour, ensure hazard lights are on when any vehicle movement occurs and observe standard traffic rules and parking signs
- **NO** vehicle movement will be permitted during the event
- Permits to access particular areas of site **MUST** be displayed on your vehicle dashboard at all times for security purposes
- Safety signs and procedures must be observed at all times on site
- Stallholders must adhere to directions provided by Council event staff, traffic controllers, security officers and any other authorities (i.e. NSW Police) at all times during the event
- Stallholders must not be under the influence of alcohol or drugs
- Smoking is not permitted within event boundaries
- Violence, harassment, sexual harassment, racial vilification and/or horseplay **WILL NOT** be tolerated
- All stallholders must wear Personal Protective Equipment (PPE) as required for all the tasks being performed within their stall space
- All stalls must be supervised by an adult at all times
- Any accidents, incidents or near misses must be immediately reported to Council Events staff

15. LIGHTING

Stallholders who have requested a Council-provided structure in their completed application will also be provided with a stall light where the event is held during the evening. Stallholders using their own infrastructure will be required to bring lighting.

16. WASTE MANAGEMENT AND SUSTAINABILITY

Stallholders are required to use vendor bins supplied by Council at the event for all rubbish. A cleaning fee will be issued to stallholders who leave waste in stalls or beside bins as per Council's Fees and Charges. This includes oil spills, food scraps and any general waste. Cumberland City Council encourages all stallholders to be environmentally aware when planning their stalls. All stallholders must use biodegradable or compostable food and beverage containers, utensils, carry bags and packaging. **No single use plastic is permitted.** Failure to comply will result in Council to close stall operations.

17. PETS AND LIVESTOCK

No pets and/or livestock are permitted onsite.

18. AMPLIFIED MUSIC AND SOUND

Public address systems, amplified music or sound will not be permitted without written approval from Cumberland City Council prior to the event being held. Stallholders are not permitted to employ, contract or programme any performer or performance without permission from Council's Events Team.

19. COMPETITIONS

Raffle and competitions may not be run at the Event without written consent from Cumberland City Council.

20. TRAFFIC

Traffic management measures, such as road closures or reduced speed limits will be implemented at the discretion of Council. Stallholders are required to comply with requests and instructions as per direction from Council event staff and traffic controllers.

21. EVENT SET-UP AND PACK-DOWN

Successful applicants will be provided with detailed bump in/out instructions which must be adhered to. Failure to arrive as per your allocated bump-in time may result in changed location of site position or your position being cancelled. Stallholders who fail to comply with such timeframes may incur a Late Bump-Out Fee. Stallholders must trade until the advertised closing time of the event. On conclusion of an event, a Council staff member will confirm that event patrons have left the area and you will be directed to leave site.

22. PROMOTIONS

Council may engage event photographers to record activities at the event. Council may ask for high resolution images for prior event promotion.

23. STALLHOLDER SALES

Council is committed to the successful promotion and delivery of all event days. Cumberland City Council does not take responsibility for the level of sales that a stallholder may or may not achieve.

24. LIABILITY AND INDEMNITY

Cumberland City Council requires all stallholders to hold a current public liability insurance policy with a minimum of \$20,000,000 cover. Council is not liable for any injury, loss or damage incurred by a stallholder who trades at an event unless such injury, loss or damage is caused by negligence of Cumberland City Council. The stallholder agrees to indemnify Council against any liability for injury, loss or damage which may be incurred as a result of the stallholder trading at an event day. Stallholders must also have Worker's Compensation Insurance in accordance with the *Worker's Compensation Act 1987*. Applications will not be considered if a Public Liability Insurance certificate is not attached.

25. STALLHOLDER FEES

On notification of a successful application, stallholders will be provided with a tax invoice inclusive of GST. Payment will be required from successful stallholders and is due two weeks prior to the event to confirm your stall. Failure to make payment by the due dates will result in cancellation of your site position. Please refer to your invoice for payment methods and note that no payment will be accepted on site. Payment of stallholder fees constitutes agreement by the stallholder to attend the event on the agreed date(s). Council fees are set each financial year and may vary per event.

26. EVENT CANCELLATION

Council reserves the right to cancel the event in case of inclement weather and event safety conditions. Such cancellation is at Council's discretion. Proactive cancellation would occur 8 hours prior to the event being held in which case stallholders would receive relevant refund of fees. Reactive cancellation may occur under extenuating circumstances during the event as a risk mitigation measure. No financial compensation is offered or negotiable under these circumstances.

27. REFUND POLICY

The stallholder agrees that they participate in the event at their own financial risk. Council's estimate on attendance is provided based on previous events. Any loss of income due to poor sales is not a basis for refund on fees. All cancellations by stallholders must be made in writing to Council's Senior Events Coordinator. Council will not issue refunds where notice has not been provided two weeks prior to the event. An exemption may be possible in an emergency. However, this will be at the discretion of Cumberland City Council.

28. AMENDMENTS

Council reserves the right to amend the Terms and Conditions and will notify stallholders of changes prior to them coming into effect.

STALLHOLDER APPLICATION FORM

IMPORTANT INFORMATION

- SUBMISSION OF A STALLHOLDER EXPRESSION OF INTEREST DOES NOT GUARANTEE SELECTION.
- YOU WILL BE NOTIFIED ON THE OUTCOME OF YOUR APPLICATION AT LEAST TWO WEEKS AFTER THE CLOSING DATE.
- THE APPLICATION FORM IS FINAL ONCE SUBMITTED AND CHANGES TO STALL REQUIREMENTS WILL NOT BE ACCEPTED.
- PRIOR TO SUBMITTING AN APPLICATION ALL STALLHOLDERS MUST READ THE EXPRESSION OF INTEREST PACK IN DETAIL, INCLUDING STALLHOLDER TERMS AND CONDITIONS OF TRADE. ONCE SATISFIED YOU MEET THE CRITERIA PLEASE COMPLETE AN APPLICATION FORM.
- PAYMENT IS ONLY REQUIRED FROM STALLHOLDERS WHO HAVE BEEN ACCEPTED TO TRADE AT THE COUNCIL EVENT.

Please tick most appropriate category for your stall:

Food Stallholder	<input type="checkbox"/>	Food Truck/Van	<input type="checkbox"/>	Food Trailer	<input type="checkbox"/>
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STALLHOLDER DETAILS

Business Trading Name:					
ABN:					
Company/trust/sole trader name:					
Name of trustee (if applicable):					
Onsite Contact Name:					
Onsite Contact Mobile:		Phone:			
Postal Address:				Postcode:	
Suburb:					
Email Address:					
Facebook:					
Description of stall activities: <i>(List any specific food/drink items being prepared and/or sold)</i>					
Will you be selling food/drinks from your stall?	YES <i>(Complete section below)</i>		NO <i>(Proceed to next page)</i>		
Please provide your temporary or mobile food registration number provided by Council (TFP or MFV reference number)*:					
<small>*You must be notified to Council as a temporary or mobile food business <u>before</u> applying for a stallholder position at the event. If you haven't yet notified, please complete and submit the relevant form on Council's website.</small>					

STALLHOLDER REQUIREMENTS

INFRASTRUCTURE	PRICE (INCL. GST)		QUANTITY REQUIRED	
Market Stallholder 2.4m X 2.4m Fete Stall	\$180.00			
Market Stallholder 3m x 3m Activity Stall	\$210.00			
Council-provided 3m x 3m cooking stall with mesh walls, flooring, sneeze guards and 1 table	\$380.00			
NOTE: No handwashing facility is provided				
Food vendor 3m x 3m space only	\$190.00			
Food vendor 6m x 3m space only	\$280.00			
Food vendor 9m x 3m space only	\$299.50			
If you have selected a 'space only' fee, please provide the exact dimensions of your setup. (This includes space for tow bars. Food stalls must include suitable flooring, walls, sneeze guards and covered roof areas):				
Please advise the side your service window is located:	Stall Only	Rear Side	Passenger Side	Driver's Side
15AMP power outlet	\$82.50			
Please list appliances you will be using that require 15AMPS:				
10AMP power outlet	\$82.50			
Please list appliances you will be using that require 10AMPS:				
Please advise ALL cooking methods that apply:	Use of LPG	Use of Charcoal	Use of Electrical Appliances	No cooking
Do you require access to water? Note: ALL food stall operators require access to warm water for hand washing and the washing of equipment	YES		NO	

VEHICLE INFORMATION		
Please advise details of the vehicle(s) you will be bringing to the event.	REGISTRATION NO:	
	VEHICLE MAKE:	
	VEHICLE SIZE:	
Additional Vehicle Information:	ADDITIONAL REGISTRATION NO:	
	ADDITIONAL VEHICLE MAKE:	
	ADDITIONAL VEHICLE SIZE:	

STALLHOLDER APPLICATION CHECKLIST

To be considered, please ensure the following documents are submitted:

Completed Application

Copy of Certificate of Currency / Public Liability Insurance

Copy of Certificate of Workers Compensation Insurance

Image/diagram of your stall/trailer/truck design/setup (any stallholder applying for space only) Menu or products list with cost of items (market stallholders and food vendors only)

Charity or not-for-profit Certificate (community stallholders only)

Copy of Food Safety Supervisor Certificate

Copy of most recent Council Food Premises Assessment Report (if available)

Confirmation of availability hand washing/equipment washing facilities with access to warm water

DECLARATION

- I DECLARE THAT ALL THE INFORMATION IN THE APPLICATION IS TO THE BEST OF MY KNOWLEDGE TRUE AND CORRECT.
- I ALSO UNDERSTAND THAT IF THE INFORMATION IS INCOMPLETE, THE APPLICATION MAY BE DELAYED OR REJECTED.
- I ACKNOWLEDGE THAT IF THE INFORMATION PROVIDED IS MISLEADING, ANY APPROVAL GRANTED MAY BE VOID.
- I ACCEPT DELAYS IN PROCESSING WILL ARISE OUT OF ANY INADEQUENCIES IN THE MATERIAL SUBMITTED IN SUPPORT OF THE APPLICATION.
- I WILL COMPLY WITH CUMBERLAND CITY COUNCIL'S SITE RULES.
- I WILL ADVISE CUMBERLAND CITY COUNCIL OF ANY SIGNIFICANT CHANGE IN CIRCUMSTANCES AS DECLARED IN THIS APPLICATION.
- I ACKNOWLEDGE, THAT SHOULD I BREACH THE STANDARDS REQUIRED, I MAY BE SUSPENDED AND/OR TERMINATED AS A STALLHOLDER.
- I UNDERSTAND THAT ONCE THE STALLHOLDER APPLICATION IS SIGNED, DATED AND SUBMITTED TO CUMBERLAND CITY COUNCIL IT BECOMES A LEGALLY BINDING CONTRACT.

I have read and understood the Stallholder Terms and Conditions and agree to comply with all requirements.

Applicant Name: _____

Applicant Signature: _____ Date: _____

The details provided in this form may contain information that is personal information for the purposes of the *Privacy and Personal Information Protection Act 1998*.

The purpose of collecting this information is to enable Cumberland City Council to consider matters under related legislation, issue related legislation, issue related documentation where required associated matters as provided by law and will be utilised by Council Officers when assessing the proposal and other associated activities.

The information may also be made available to other persons where such access is in accordance with the relevant regulations and requirements in this regards. The submission of personal information in this case is required by law and if not provided (wholly or in part) may affect or prevent consideration of the matter by Council. The information will ultimately be stored in Council's record system.