

SECTION 1 - INTRODUCTION

BACKGROUND

The annual Cabramatta Lunar Festival and Cabramatta Moon Festival are important cultural celebrations in the Cabramatta Town Centre for the City's large south-east Asian community. The major events offer a variety of food and market stalls that use an expression of interest process to invite, assess, select and offer businesses and community groups a stall space for a fee, terms and conditions and responsibilities for stallholders concerning environmental, public health and safety considerations.

PURPOSE

The purpose of this policy is to:

- Provide transparency and certainty for stallholders in the process used for stallholder applications and their assessment, inclusive of pricing and requirements of all stallholders who have been allocated a stall for the festival event, and
- Ensure public health and safety is a paramount consideration in delivering major events in the Cabramatta Town Centre inclusive of the requirement to ensure all events infrastructure meets Council's specifications.

SCOPE

This policy applies to:

- all stallholders who express an interest in participating in the annual events held in the Cabramatta Town Centre so that the parameters of selection and stakeholder responsibility on event day is understood as well as relevant terms and conditions; and
- Council Officers in the execution of their duties concerning the invitation, assessment and selection of stallholders for Council's events held in the Cabramatta Town Centre.

DEFINITIONS

Word/Term	Definition
Code of Conduct	Council's Code of Conduct sets the minimum standards of conduct for Council Officials made under Section 440 of the Local Government Act 1993 and the Local Government (General) Regulation 2021 to ensure that matters are dealt with in accordance with established procedures, in a non-discriminatory manner.

Word/Term	Definition
Council	Fairfield City Council
Council website	https://www.fairfieldcity.nsw.gov.au
EOI	Expression of Interest
Event	Festivals held in the Cabramatta Town Centre organised by Council consisting of the annual Cabramatta Lunar Festival and Cabramatta Moon Festival and such other events Council may choose to run in the town centre.
Food Safety Supervisor (FSS)	Oversee day-to-day food handling operations and ensure risks are managed by meeting obligations under the under the Food Standards Code, NSW Food Act and Food Regulation.
Local Businesses	Those business located within the event road closure area of the Cabramatta Town Centre and Dutton Lane Plaza.
Major Events Officers	Employees of Council with responsibility and accountability to plan and deliver major events.
NSW EPA	The NSW Environment Protection Authority (EPA) is the primary environmental regulator for New South Wales.
Refrigerated conditions	Portable cooler together with an adequate supply of ice or another cooling medium that is capable of maintaining food at a temperature below 5°C.
Stall boundary	The area allocated by Council where stall activity can take place.
MP	Member of Parliament
LGA	Local Government Area
Stallholder	A person who sells goods, food, beverages or other approved merchandise at a stall at a Council event

LEGISLATIVE CONTEXT

Name
Food Act 2003 (NSW)

Food Regulation 2015 (NSW)
Work Health and Safety Act 2011
Protection of the Environment Operations Act 1997
Local Government Act 1993
Local Government (General) Regulation 2021

STAKEHOLDERS

Stallholders consisting of:

- Local businesses in Cabramatta Town Centre
- Local businesses located in Fairfield City
- Businesses located outside of Fairfield City
- Local community, and
- General public.

SECTION 2 - POLICY

OBJECTIVE AND GOALS

The objectives and goals of this policy are to:

- Provide transparency and consistency in the application, assessment and selection process of stall allocations consistent with the application of Council's Code of Conduct and guidelines.
- Provide transparency in the stall fee structure
- Provide expectations concerning stall set up (bump in) and stall pack up (bump out) including the disposal of waste
- Provide safe events by minimising the risk of customers becoming ill from food poisoning because of incorrect handling and preparation of food
- Minimise the risk of fire and related injury at cooking stalls.

POLICY STATEMENT

This policy will apply to:

- Council's Major Events Officers in their dealings with inviting, assessing and selecting stallholders for major events in the Cabramatta Town Centre, and
- Stallholders in understanding their obligations in participating in a major event being held in the Cabramatta Town Centre including environmental, public health and safety responsibilities.

APPLICATION & IMPLEMENTATION

1. Stallholder invitation

- 1.1. Council's Major Events Officers will maintain a list of interested persons who have expressed an interest in a stall at the event.
- 1.2. Council's Major Events Officers will seek expressions of interest from stallholders who wish to participate in an event. The EOI can be found on the Major Events page on Council's website and must be completed within the specified timeframe.
- 1.3. Council's Major Events Officers will open expressions of interest as follows:

- 1.3.1. For Cabramatta Lunar New Year sponsorship stallholders, the next working day after the October Labour Day public holiday; and
- 1.3.2. For Cabramatta Moon Festival stallholders, the next working day after the ANZAC Day public holiday.
- 1.4. Stallholders interested in participating in the event will have a minimum of 21 days to lodge an application through Council's website.

2. Stallholder applications

- 2.1. Stallholder applicants must complete each field on the Application Form.
- 2.2. Stallholders must list every product sold on the Application Form.
- 2.3. Stallholders must provide a copy of their Certificate of Currency (public liability) Certificate on the Australian Insurance company's letterhead and must:
 - 2.3.1. contain the policy number;
 - 2.3.2. show the company name, noting that the registered trading name is not acceptable;
 - 2.3.3. state the policy as 'Insured' and include the names of all the owners;
 - 2.3.4. state the type of insurance cover that must reflect the cover required for the proposed activity;
 - 2.3.5. state the start and end date of the policy;
 - 2.3.6. state 'Fairfield City Council' as an Interested Party;
 - 2.3.7. provide a Limit of Liability of \$20 million and subject to the type of stall and products sold; and
 - 2.3.8. show the signature of the associate liable for the cover.
- 2.4. Stallholders selling pre-prepared or cooked food on site must supply a copy of the Food Safety Supervisor (FSS) Certificate of the person who will be working in the food stall, demonstrating their knowledge of food safety to Council's Environmental Health Officers at time of inspection and any third party contracted by Council in the interest of public health and safety.
- 2.5. Stallholders must demonstrate previous experience at events of a similar scale.
- 2.6. Stallholders must submit their application by the closing date.

3. Stallholder application assessment

- 3.1. The following cannot not be sold or promoted:
 - 3.1.1. alcoholic beverages of any kind;
 - 3.1.2. food products containing raw egg, raw egg mayonnaise, raw egg butter or any other raw food products including raw meat and raw seafood such as sushi, ceviche, etc;
 - 3.1.3. products that infringe copyright laws or other intellectual property rights;
 - 3.1.4. dangerous, offensive or harmful merchandise including silly string and replica guns are banned; and
 - 3.1.5. material of a political nature.
- 3.2. Council reserves the right to:
 - 3.2.1. give preference to local businesses, organisations and vendors in accordance with Fairfield City Council's local procurement policy;
 - 3.2.2. refuse applications, regardless of the date the application is lodged as priority is not given on a first-in-first-served basis;
 - 3.2.3. reject any stall application where there has been a history of repeated food safety breaches or poor performance; and

3.2.4. reject any stall application it considers inappropriate.

4. Stallholder selection by Council's Major Events Officers

- 4.1. To ensure the quality and diversity of stalls at both the Cabramatta Lunar Festival and Cabramatta Moon Festival and any other event Council may choose to run in the Cabramatta Town Centre, criteria is applied for the selection of stallholders.
- 4.2. Stallholder selection criteria are based on experience in high volume events, quality, variety, presentation, product suitability, environmental sustainability of products and ability to comply with public health and safety requirements, and any other requirement of Council.
- 4.3. To ensure local participation at events, stall spaces will be allocated to local businesses and community at the following minimum rates:
 - 4.3.1. 30% to those businesses located in the Cabramatta Town Centre within the event road closure zone as identified within the Traffic Management Plan for the major event; and
 - 4.3.2. 20% to those businesses located elsewhere in the Cabramatta Town Centre outside of the event road closure zone and within the Fairfield LGA.
- 4.4. Official sponsors or event partners will be given locational, merchandise, food and beverage preference in the selection of stalls.

5. Stallholder Fees

- 5.1. A schedule of fees applies for stall space for Local Business, Commercial, Community, Government or agency according to the following categories:
 - 5.1.1. Inside Cabramatta Town Centre Event Road Closure Zone:
 - 5.1.1.1. Product/Service – Stall (single)
 - 5.1.1.2. Food & Beverage (non-cooking site) – Stall (single)
 - 5.1.1.3. Food & Beverage (cooking stall) – Stall (double)
 - 5.1.2. Outside of Cabramatta Town Centre Event Road Closure Zone:
 - 5.1.2.1. Product/Service – Stall (single)
 - 5.1.2.2. Food & Beverage (non-cooking site) – Stall (single)
 - 5.1.2.3. Food & Beverage (cooking stall) – Stall (double).
- 5.2. Stallholders must use stall marquees supplied by Council and an additional fee will apply.
- 5.3. Professionally branded marquees, and floor mats for food stalls, may be exempt to the Council supplied requirement subject to an assessment by Council's Major Events Officers concerning public health and safety considerations.
- 5.4. Stallholders selling or cooking food will be supplied the following for a fee:
 - 5.4.1. fully roofed marquee with three sides;
 - 5.4.2. handwashing device;
 - 5.4.3. floor mat;
 - 5.4.4. sneeze guards;
 - 5.4.5. cool rooms;
 - 5.4.6. generators; and
 - 5.4.7. other equipment as required or requested.
- 5.5. Food stalls will be inspected by Council's Environmental Health Officers and are required to pay an additional Food Safety Inspection fee.
- 5.6. On the spot electrical equipment tagging will be undertaken by Council's electrical contractor for a fee per lead tagged.

6. Stallholder acknowledgment

- 6.1. Council is not responsible for cancellation of the event due to bad weather, unforeseen circumstances or any other reason on the scheduled date.
- 6.2. Where Council cancels the event, hiring fees are not refundable.
- 6.3. Council reserves the right to photograph all stalls, activities and entertainment.
- 6.4. Stallholder placement may be changed at the last minute due to unforeseen circumstances.
- 6.5. Council reserves the right to ask stallholders to cease trading and leave the event in the case of any failure to comply with these or any other conditions set for the stallholder.
- 6.6. Stallholders must be aware of, and adhere to, the relevant Work Health and Safety legislation, noting failure to comply may lead to severe penalties for breaches and can lead to removal from the event.
- 6.7. Food stalls must comply with all relevant legislation and guidelines, noting failure to comply may lead to severe penalties for breaches, disposal of food, and can lead to removal from the event.
- 6.8. Stallholders cooking or preparing food on site will be required to attend a briefing by Council staff before the event.
- 6.9. Stallholders are responsible for their own personal security and property as well as cash handling management.
- 6.10. Council accepts no responsibility for any damage or injury to any stallholder's personnel, equipment or property before, during or after the event.

7. Stallholder conditions and restrictions - General

- 7.1. Stalls will be provided by Council for a fee.
- 7.2. Stallholders can only apply for a maximum of two (2) stalls (a double stall)
- 7.3. Stallholders cannot sub-let or share stalls.
- 7.4. Stallholders must trade inside the allocated stall area and may not move their stall from the allocated stall boundary.
- 7.5. Stallholder must not place tables, chairs, umbrellas, barricades or other equipment outside or adjacent to the designated stall boundary.
- 7.6. Official sponsors or event partners will be given locational, merchandise, food and beverage preference in the selection of stalls.
- 7.7. Stallholders must not distribute promotional/advertising material in the form of flyers, brochures or business cards from outside their designated stall area and includes third-party signage, promotions, merchandise, advertising or competitions.
- 7.8. Stallholders must not distribute balloons, stickers or any similar branded merchandise or use sound amplifications so as to not adversely affect the environment by noise, land, air or water pollution.
- 7.9. Stallholders must not display in public view any material which is defamatory, discriminatory, insults, makes personal reflections on or imputes improper motives to any other person.
- 7.10. Stallholders must not inhibit access to surrounding stalls.
- 7.11. Stallholders must plan for a dedicated point of sale and a dedicated collection point for orders to ensure an efficient trade on event day.

8. Stallholder conditions and restrictions – Food stalls

- 8.1. Stallholders undertaking cooking at the event must have a double stall, one stall for food preparation/cooking and the second stall for serving food.
- 8.2. Food stalls will be provided with additional equipment by Council for an additional fee.
- 8.3. Food stalls may be exempt to the Council supplied requirement subject to an assessment by Council's Major Events Officers concerning public health and safety considerations.
- 8.4. Food stalls are prohibited from using hot coals or butane bottles.

9. Work Health and Safety (WHS) Compliance

- 9.1. Under Work Health and Safety (WHS) laws, effective from 1 January 2012, the Work Health and Safety Act 2011 and its regulations have requirements that apply to all workplaces (including temporary events) to ensure the health, safety and wellbeing of all who come in contact with stalls.
- 9.2. A Workers Compensation Policy is required for businesses that generate over \$7,500 per year and employ staff. Businesses that are not required to carry Workers Compensation Policy must submit in writing the reasons why.
- 9.3. Businesses that employ contractors are required to seek advice from SafeWork NSW or an insurer handling workers compensation, as contractors may be deemed workers.
- 9.4. The stallholder must complete a Fairfield City Council Work Health and Safety Induction and be familiar with the stall site and any potential hazards prior to commencing work.
- 9.5. The stallholder is responsible for inducting all staff, contractors/ subcontractors with the appropriate WHS procedures associated with your stall.
- 9.6. The stallholder must be in attendance for the duration of the event.

10. Electrical equipment

- 10.1. Council's electrical contractor will be on site to inspect equipment in use, prior to trading.
- 10.2. Equipment that is deemed unsafe will be banned from use during the event.
- 10.3. Stallholders must show evidence that all electrical equipment, appliances and cabling have been tagged and tested in accordance with the Work Health and Safety Regulation 2017.
- 10.4. On the spot tagging will be undertaken by Council's electrical contractor for a fee per lead tagged.

11. Power supply

- 11.1. Stallholders using generators must present a safety data sheet for inspectors.
- 11.2. Fuelling of generators must be carried out no later than bump-in time before the event is open to the public.
- 11.3. The capacity of the fuel storage tanks must be sufficient to run the generators throughout the time the event is open to the public.

12. Food stalls - Food Safety Supervisor

- 12.1. All food stalls must have one certified Food Safety Supervisor who has completed the appropriate course at a Registered Training Organisation and be familiar with NSW

Food Authority's publications and comply with all the requirements within Guidelines for Food Businesses at Temporary Events:

www.foodauthority.nsw.gov.au/retail/markets-and-temporary-events

- 12.2. A copy of the Food Safety Supervisor (FSS) Certificate must be kept in the stall and clearly displayed.
- 12.3. The FSS accredited person must be at the stall for the duration of the event and ensure:
 - 12.3.1. All food handlers are appropriately dressed including head covering, clean apron and enclosed shoes;
 - 12.3.2. Disposable gloves are provided to all staff and used for all food handling and changed regularly as required;
 - 12.3.3. All fixtures, fittings and equipment, and those parts of vehicles used to transport food are maintained, cleaned and sanitised so there is no accumulation of food waste, dirt, grease or other visible matter;
 - 12.3.4. Single use eating and drinking utensils, straws, etc. are individually pre-wrapped;
 - 12.3.5. All food stored, prepared or sold must be for immediate sale and consumption unless suitable equipment is provided for maintaining the food at a temperature of at least 60°C (hot foods), or below 5°C (cold foods);
 - 12.3.6. A digital probe thermometer is available and used to measure the core temperature of food within the stall;
 - 12.3.7. an adequate supply of warm running water (approximately 40°C), liquid soap and disposable paper towels is provided at each hand wash (station) basin; and
 - 12.3.8. Smoking or vaping does not occur inside or at the rear of the food stall.

13. Food stalls – Stall set up

- 13.1. Stallholders must provide a minimum capacity of 10 litres of warm water and suitable bowls or containers for cleaning.
- 13.2. Stallholders must provide clean towels, detergent and food grade surface sanitiser.
- 13.3. Preparation and serving areas are to be enclosed on three sides and to restrict public access.
- 13.4. Food must be protected from direct sunlight by screens or shields.
- 13.5. No part of the stall walls should flap in the breeze or be unsecured.
- 13.6. All food must be prepared, cooked and stored inside the stall and must be raised minimum of 150mm above the ground.
- 13.7. Heating and cooking equipment must be:
 - 13.7.1. located within the food stall and a minimum of half a metre away from public access;
 - 13.7.2. located away from the walls and lower roof area of the stall to protect from heat, flame and splashing;
 - 13.7.3. barricaded to prevent public access and must have overhead cover;
 - 13.7.4. kept free of dust borne contamination and droplet infection (for example, coughing and sneezing by the public); and
 - 13.7.5. regularly cleaned and excess fat and grease trapped in drip trays, removed from surface and surrounds and disposed of correctly.
- 13.8. Sneeze barriers or other enclosures must be installed and maintained by the stallholder to ensure preparation and display of food, including unpackaged ready-to-

eat food, are protected from likely contamination from customers and the general public.

13.9. Foods stalls must display a menu and are encouraged to be aware of, and publicise, any common food allergens.

14. Food stalls – Food storage and preparation

14.1. All food deliveries to the stall must be kept wrapped, packaged or in enclosed containers to protect from contamination.

14.2. All condiments such as sauce, mustard etc., must be kept in squeeze type dispensers or in individual sealed packets and served by the food handler.

14.3. Food must be protected from damage, weather and direct sunlight.

14.4. Any pre-packaged food is required to be labelled clearly in accordance with Australian and New Zealand Food Standards Code.

14.5. All food on display must be either:

14.5.1. Wrapped/packaged; or

14.5.2. Completely enclosed in a suitable display cabinet; or

14.5.3. Be protected by a physical barrier such as a Perspex glass sneeze guard or clear plastic siding to the stall; or

14.5.4. Located so as to not be openly accessible to the public

14.6. Food that is given away as 'samples' must be distributed in a supervised manner, off a tray or plate by a staff member. Food must not be left out for self service on any counter, bench top or food display unit.

Note: Food which is given away for the promotion is deemed to have been sold pursuant to the Food Act 2003.

15. Food stalls – Food safety

15.1. The food listed below must be stored at refrigerated conditions at a temperature below 5°C:

15.1.1. Hazardous food products prepared or pre-cooked food consisting of fresh cream, custard trifle;

15.1.2. Potentially hazardous food products consisting of raw meat, processed meat and raw seafood; and

15.1.3. Pre-cooked chicken or chicken pieces or pre-cooked rice.

15.2. Pre-wrapped ice cream and other frozen food must be stored at -18°C.

16. Food stalls - Fire safety

16.1. All cooking areas are required to have CO2 carbon dioxide extinguisher suitable for class B flammable liquid fires (petrol, oil, solvents) and recommended for use on live electrical equipment, that have been recently tested and in good working order.

16.2. All cooking areas are required to have a fire blanket in accordance with Australian Standards.

16.3. All gas bottles and connections must:

16.3.1. meet Australian Standards and be installed according to manufacturer instructions;

16.3.2. be in a safe working condition and are within 5 years of issue date on collar of the bottle; and

16.3.3. be transported and stored within a stable storage device to prevent rolling.

16.4. Staff workspaces must be a safe working distance from heat and open flames.

17. Waste and the environment – general stalls

- 17.1. Stallholders are responsible for making the event environmentally friendly.
- 17.2. Stallholders are responsible for disposing of their own rubbish and the cleanliness of their area and ensuring the site is maintained and restored to its pre-existing condition.
- 17.3. Sufficient waste facilities will be provided on site for dry waste and are included at no extra cost.
- 17.4. Stallholders are responsible for supplying their own cleaning equipment e.g. brooms, cleaning products, gloves etc.
- 17.5. A cleaning fee of \$200.00 will be charged for any waste left upon your departure at your stall site and you will be invoiced after the event.

18. Waste and the environment – Food cooking stalls

- 18.1. Council’s Environmental Health Officers will monitor the disposal of waste water and fines may be imposed under the Protection of the Environment Operations Act 1997 for incorrect disposal of liquid waste including disposal of waste water or oils into the stormwater system, poured onto the ground or left unattended at the end of the event.
- 18.2. Wastewater and oil is to be disposed of into a liquid waste container and then disposed of as directed by Council Officers.
- 18.3. Provision must be made for the storage of wastewater and cooking oils generated within the stall and disposed by the stallholder according to the NSW EPA Guidelines.

SECTION 3 - GOVERNANCE

RELATED POLICIES/PROCEDURES

Policy Number	001 Code of Conduct 002 Work Health and Safety
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RESPONSIBILITY

Policy Owner	Manager Economic Development and Major Events
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RISK

The risk of not complying with this policy is:

- Lack of confidence in procedural fairness in the selection of stalls
- Food poisoning
- Fire safety
- Environmental damage and
- Reputational damage.

VERSION CONTROL AND CHANGE HISTORY

Version Number	Approval Date	Approved by	Amendment
01	February 2024	Council	

The management of Council reserves the right to cease, modify or vary this policy and will do so in accordance with Council's established consultation processes.

REVIEW DATE

Four years from the effective date of this policy.

AUTHORISATION

This policy was adopted by the Outcomes Committee on 13 February 2024 (Item 05).

SECTION 4 – PROCEDURES

PROCEDURE

Council's Economic Development and Major Events Division will be responsible to ensure the operational elements within this policy are adhered to in partnership with other internal divisions of Council, including but not limited to Council's Environment and Health Division.