



Approval for a Temporary Premises

Application Form: Part 1 Business Details

Local Government Act 1993- section 68

NSW Food Act (2003) – s100

2020/21

Part 1 of the application for a temporary premises* approval (e.g. market stall, tents) is relevant for food businesses that are –

Please tick

- applying for first time, including change of business ownership;
- applying to reinstate a previously held approval that has expired with no changes;
- notifying Council of a change to business details for a current approval holder (*fees do not apply*).

* **temporary premises** means premises comprising a tent or stall or the like from which food is sold by retail on an occasional basis only, such as for a fete, fair, market or other event.

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Office Use Only

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Receipt No:

Date Received:

Doc ID:

Initial:

Please allow 10 working days for the issuing of an approval. If the application form is not completed correctly or is not accompanied by the necessary information, processing delays can occur and the application may be returned to you. Approvals required within 5 working days are available and incur an urgency fee of \$50.

If you need help lodging your application please contact Council on:

(02) 6626 7107 or pes@byron.nsw.gov.au.

1. Food Business Details

Trading name of temporary premises: _____

Food business number (for current approval holders): _____

Approval description:

Please tick

- one-off event only. Name of event: _____
- one year approval
- one year approval – low risk**
- charity & not for profit organisations
- no change to existing approval (*current approval holders*)

Urgency approval required
(\$50 dollar fee)

Note: processing time is subject to all relevant documentation and correct information being supplied.

** low risk means foods that are unlikely to encourage bacterial growth, including shelf stable or packaged food that does not require storage in a temperature controlled environment to maintain food safety e.g. packaged/canned foods, sweets and sugary confectionery, pastries and cakes (without dairy cream), whole fruit/vegetables and sauces, chutneys and jams in jars. Taste testing of such food may be deemed low risk when kept safely and not for long periods of time (<2 hours). The production of food e.g. combining ingredients and cooking is not low risk.

2. Applicant Details

Who is making the application? Tick ONE

- Individual(s) (*Go to Part 2.a*)
- Company / Incorporated Association (*Go to Part 2.b*)

2. a. Name of individual(s) making application

Individual 1

Mr Mrs Miss Ms Other:

Last / Family name :

First / Given name(s):

Address of Individual 1:

Phone:		Mobile:	
Email:			
Postal Address (if different from above):			
ABN :			
Individual 2			
<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms
Other:			
Last / Family name:			
First / Given name(s):			
Mobile:			
Complete attachment 1 if multiple individuals			
2. b. Company / Incorporated Association details			
Name of Company / Incorporated Association:			
Note: A trading name or trust is not a legal entity.			
Registered Address of Company / Incorporated Association:			
Address where business is registered to receive legal documents e.g. with ASIC.			
A PO Box can not be a registered office address for the business.			
Postal address (if different from above):			
Contact details of Company / Incorporated Association			
Director name:			
Phone:		Mobile:	
Email:			
ABN / ACN:			
Complete attachment 1 if multiple directors.			
3. Charities			
<input type="checkbox"/> Charity & not for profit organisations (please tick if applicable)			
If you are a charity or a not for profit business, a copy of your registration with the Australian Charities and Not For Profits Commission must accompany this form.			
Charities and not-for-profits are exempt from many of the provisions contained within the Food Act 2003, but are still required to comply with the food safety standards.			
Approval fees do not apply. However inspection fees may apply.			

4. Application Lodgement And Fees

FEES for temporary premises approvals 2020/21 financial year*** –

- Approval Fee \$161.00 (year)
 - Low Risk Approval Fee \$55.00 (year)
 - One-off event \$85.00
 - Exempt – charity & not for profit
 - Urgency Fee \$50.00
- ***Fees are subject to change every financial year.
Refer to Council's adopted fees and charges document.
- **In person** – Cash, cheque, money order, EFTPOS, MasterCard or Visa. Present form to Council's Customer Service Centre between 8.30am and 4.30pm.
 - **By email** – Please complete and return with "Authority for Credit Card Details" (Attachment 2) to - pes@byron.nsw.gov.au.
 - **Mail** – Enclose a cheque, "Authority for Credit Card Details" (Attachment 2) or money order payable to Byron Shire Council and mail to Byron Shire Council, PO Box 270, Mullumbimby NSW 2482.

5. Additional Information

- i. The approval fee for a temporary premises does not include inspection fees associated with the stall at an event or market. Inspection fees are invoiced separately, and are charged in accordance with Council's adopted fees and charges. Please refer to <https://www.byron.nsw.gov.au/Business/Doing-business-with-us/Fees-and-Charges>.
- ii. Temporary premises that are operated on Council land or public spaces must hold a valid Certificate of Currency while the food business is operating that indemnifies Byron Shire Council as an interested party to \$20 million for potential public or product liability resulting from the conduct of the food stall.
- iii. Other approvals may be required for the legal operation of the temporary premises. A temporary premises approval does not validate or replace the need to acquire other approvals associated with the running of the temporary premises.

6. Declaration

I declare that:

- All information provided including that on any attachments, to the best of my knowledge, are true and correct¹
- I understand my obligations under the Local Government Act 1993² and the Food Act 2003³ and have read the terms and conditions.
- I understand application processing times are ten (10) working days, and I am not approved to operate the food businesses until an approval has been issued and displayed on site at the temporary premises.

Signature: _____

Signature: _____

Full name: _____

Full name: _____

Date: _____

Date: _____

Privacy statement: Your personal information is collected and recorded in accordance with the Privacy and Personal Information Protection Act 1998. Your information will not be given to any other person or agency unless you have given us permission or the disclosure is required by law.

- ¹ Local Government Act 1993 s665 False or misleading information (1) A person who, in or in connection with an application under this Act, makes any statement that the person knows to be false or misleading in a material particular is guilty of an offence. Maximum penalty: 20 penalty units.
- ² Local Government Act 1993 s98 Other conditions (1) An approval may be granted subject to a condition that a specified aspect of the activity that is ancillary to the core purpose of the activity is to be carried out to the satisfaction of the council or a person specified by the council (2) An approval is subject to any condition prescribed by the regulations as a condition of the approval.
- ³ Food Act 2003 s42 A person must not, in connection with a requirement or direction under this Act, provide any information or produce any document that the person knows is false or misleading in a material particular.

How to lodge your application

- For email submission, send to pes@byron.nsw.gov.au
- For postal submission, send to PO Box 219, MULLUMBIMBY 2482



Attachment 2

Authority for Credit Card Details

I.....the undersigned, authorise Byron Shire Council to charge the amount indicated below to the following credit card for a temporary premises approval.

Amount	\$																			
Contact Name																				
Address																				
Contact number																				
Alternative number																				
I wish to pay by	<input type="checkbox"/> MasterCard										Expiry date:									
	<input type="checkbox"/> Visa										CCV code:									
Card Number					-						-									
I authorise a credit card fee of 0.42% to be added to the above amount																				
Name:							Signature:							Date:						