

## **Traders Guidelines (Food)**

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## **Introduction**

The purpose of these guidelines is to provide prospective applicants information as to the requirements of obtaining a Permit for conducting commercial food sale activities on a public place, and to provide a procedure for the management of these Permits.

## **The Local Law**

A Permit is required to operate a commercial business on a public place. The Permit is issued under the City of Rockingham's *Public Places and Local Government Property Local Law 2018*. A copy of this local law can be found on the City of Rockingham website at [Local laws, Council policies and delegations - City of Rockingham](#)

A public place is defined City's *Public Places and Local Government Property Local Law 2018* as being:

- (a) A street;
- (b) Any local government property; or
- (c) A place to which the public have access.

## **Who Needs A Permit?**

Food vehicles and food stalls add vibrancy to an area, provide alternative food options for consumers, and play an important role in overall community activation. The City needs to ensure that there is a balance between mobile food traders and established food businesses, and careful consideration is taken in assessing applications for mobile food trade.

Anyone conducting a commercial business on a public place must have a Permit to do so. It is important that the City is aware of who is operating a business from public places in order to:

- manage competing uses of public open space;
- provide protection to established food businesses on private land;
- manage the impact on the asset (e.g. wear and tear of the reserve);
- ensure there is adequate public liability insurance and risk management processes in place; and
- ensure that the activation of the space is in the best interests of the City and the community.

You do not need a Permit under these local laws if you are conducting your business on private land, or have a current lease over Council land and the activity is in line with the core function of your lease. Please note that other approvals for activities in these locations may be required.

## **Application Process**

The Permit application will be assessed in accordance with the City's Local Law. Please allow a minimum of 21 days for the application to be assessed once all the required paper work has been received. Please read the following information carefully to ensure you complete your application and submit with all the requirements.

### **1. Assessment of Permit Applications for activities on public places**

In determining an application the following considerations are deemed to be essential:

- (a) the preservation of the amenity of the locality;
- (b) the protection of established food businesses;
- (c) the preservation of public safety;
- (d) where the public place is Crown land:

- (i) the purpose, if any, for which the land is reserved under the Land Administration Act 1997; and
- (ii) the purpose for which the land is designed, developed and used;
- (e) the protection, management and control of the local government property and assets on the local government property;
- (f) the conservation, protection and proper management of flora and fauna on the local government property;
- (g) the impact of the proposed activity on the use of the local government property by existing users (Permit Holders and bookings), and by the public; and
- (h) the experience and qualifications of the applicant in relation to the activity and the applicant's past performance in undertaking or managing the proposed activity or similar activities.

Once the application has been received with all the required information, the application will be assessed by City Officers to determine an outcome.

Any controversial or significant applications may be deferred to Council and a report will be developed and submitted for elected members to determine the outcome of the application.

## **2. Application Requirements - what must be included in the application?**

All applications must provide the following information to the City before the assessment process can take place:

- Submission of the completed Permit application form;
- Certificate of Registration of a Food Business from the Local Government where the food vehicle is registered/housed overnight (see page 16 for further information on this)
- List of foods being sold from the food vehicle/food stall;
- Site map of the required locations; and
- Copy of Public Liability Insurance cover for no less than 10 million.

In addition to this information, specific activities are required to provide additional information to the City before the assessment process. If this is applicable to your application, you will be notified by the City's Permits Officer for further information or documentation. Please see relevant 'Permit Types' sections within these guidelines for assistance.

## **3. Conditions of Approval**

In approving an application for a Permit, the City may impose any conditions as it sees relevant to the application.

Approval to operate will be for a maximum period of twelve months from the date of issue, or less dependent on the applicant's request.

The Permit Holder is required to provide proof of public liability insurance for all Permit applications (minimum \$10,000,000), and maintain this insurance for the duration of the Permit period.

The Permit Holder is required to respond to any substantiated complaints received in relation to the activity (to the satisfaction of the City).

In addition to the conditions attached to a Permit, Permit Holders are to ensure compliance with other laws in the City of Rockingham. These include such laws relating to the *Food Act 2008* and subsidiary food legislation, signage approval, parking limitations, noise complaints and litter removal.

## **4. Policing Conditions Applied to the Permit Holder**

Onsite routine inspections will be undertaken to determine if the permit holder is complying with the conditions of their traders permit.

If non-compliances with the Permit are observed, Permit Holders will be advised formally of their obligations to comply with the conditions of approval. An infringement may be issued, approval to operate may be withdrawn or Permit conditions may be varied.

Additionally, inspections of the permitted locations will be completed to determine if the operation has had a detrimental environmental impact on the land. Should degradation of the site be evident due to the permitted activity, the Permit Holder will be required to undertake necessary repairs, and consideration will be given to altering the location of the site or withdrawing permission for the continued use of the reserve by the operator.

Any substantiated complaints received will be forwarded to the Permit Holder for their attention. Should the Permit Holder be unable or unwilling to satisfactorily address such complaints, then the City will give consideration to either varying the conditions of use, altering the location of the site or withdrawing permission for the continued use of the site.

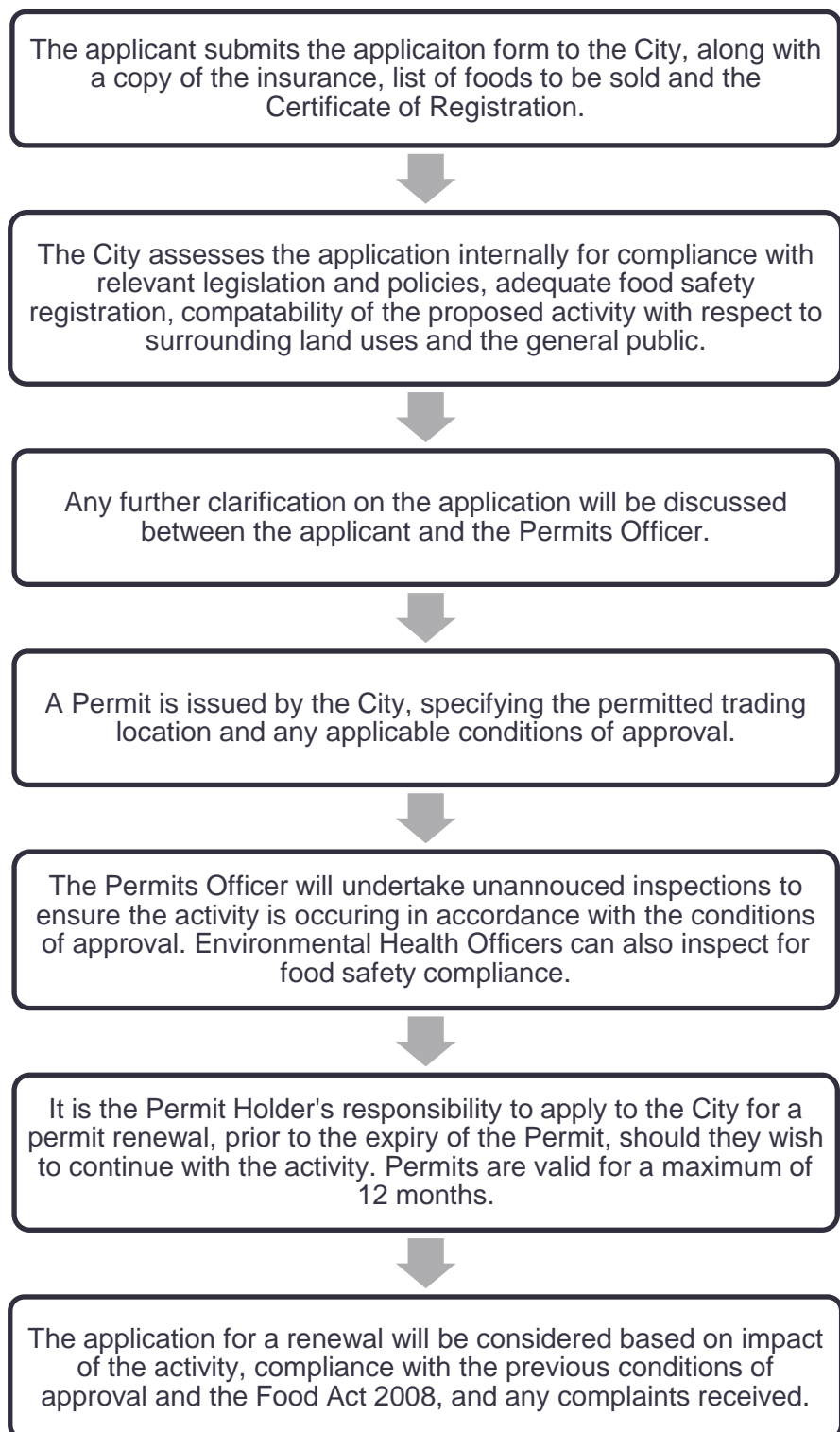
In addition to inspections for compliance with the Permit conditions, food vehicles and food stalls will be periodically inspected by the City's Environmental Health Officers for compliance with the *Food Act 2008*. Food safety is highly important in the City of Rockingham, and non-compliances with the food legislation can result in infringements being issued, the traders permit being revoked, or further applications to trade not being granted. The City's Environmental Health Officers are able to assist with advice on complying with the *Food Act 2008*, and there is free online food safety training on the City's website to also assist food retailers.

Permit Holders seeking renewal of their Permit who have not satisfactorily addressed concerns by the City or complaints received, will not have their Permit renewed. It is the Permit Holder's responsibility to renew the application at least 30 days prior to expiration.

### **Permit Application Assistance**

The City's Permits Officer is available to assist applicants in completing and submitting an application, and successfully gaining the relevant approvals from the City. The Permits Officer can be contacted directly on 9527 0730.

## APPROVAL PROCESS





## APPLICATION TYPES

### Event Permits

Food vehicles/food stalls wanting to trade at approved events within the City of Rockingham are able to apply for an Event Permit. The Event Permit is an annual Permit, which grants approval for the Permit Holder to attend any approved event within the City, with the Event Organiser's consent.

This means that the Permit Holder only makes one application to the City of Rockingham each year.

Applicants must complete the Application for Food Stallholder Permit, provide a list of foods to be sold, a copy of their Certificate of Registration of a Food Business, Public Liability Insurance Certificate and a layout of their food vehicle/food stall.

Applicants can also elect to have their details included on the City's Food Vehicle Register, which is provided to Event Organisers on request. The Register assists Event Organisers with knowing which vehicles have already gained an Event Permit from the City.

### Market Permits

Food vehicles/food stalls wanting to trade at approved markets within the City of Rockingham are able to apply for a Market Permit. The Market Permit is an annual Permit, which grants approval for the Permit Holder to attend any approved market within the City, with the Market Organiser's consent.

This means that the Permit Holder only makes one application to the City of Rockingham each year.

Applicants must complete the Application for Food Stallholder Permit, provide a list of foods to be sold, a copy of their Certificate of Registration of a Food Business, Public Liability Insurance Certificate and a layout of their food vehicle/food stall.

Applicants are able to apply for both an Event Permit and a Market Permit at the same time, which will grant approval to attend any approved event or market within the City for the year. The one application can be used for both Permit types, however, the fee for both the Event Permit and Market Permit will be required. Two Permits will be issued to the applicant after the assessment is undertaken.

### One-off Food Stall Applications

One-off food stall applications can be considered for fundraising or advocacy purposes. These may include sausage sizzles, cake stalls and the like.

The City has information sheets to assist with the safe running of fundraising stalls, which are attached as Appendices to this Guideline. Food safety at these one-off stalls is paramount, with particular consideration needed to ensure the food is at a safe temperature at all times, food is protected from contamination (dust, dirt, pests etc.), food handlers wash their hands prior to handling food or after taking money, and that any packaged food (cakes, biscuits, preserves etc.) is clearly labelled with ingredients (especially those that may lead to an allergic reaction, such as nuts, egg, soy, dairy etc.).

Applicants must complete the Application for Food Stallholder Permit, provide a list of foods to be sold and layout of their food stall. Depending on the foods proposed to be sold, the City's Environmental Health Officers may contact the applicant to discuss their application further.

The City recognises the importance of food stalls for fundraising purposes, and will assist applicants to gain their approval. The Permits Officer will determine the suitability of a food stall location, given surrounding uses, pedestrian access and safety.

Generally one-off food stalls can operate up to four times each year, however, each application will be assessed on a case by case basis.

## Ice Cream Vehicles

Ice cream vehicles are granted a specialised permit (Traders Permit - Ice Cream Van) which allows them to trade on roads, for as long as it reasonably takes to serve the customers.

Ice cream vehicle traders need to ensure:

- They do not trade within 300m of an established food business that sells the same product;
- They only operate between 7am and 7pm each day;
- The music is maintained at a level that does not create a nuisance; and
- They do not park the vehicle longer than the time needed to serve their customers.

Ice cream vehicles must sell ice cream, and are permitted to also sell snow cones, slushies and confectionary.

Applicants must complete an Application Form, provide a list of foods to be sold, a copy of their Certificate of Registration of a Food Business, Public Liability Insurance Certificate and a layout of their food vehicle.

## Food Vehicles Servicing Construction Sites/Commercial Sites

Food vehicles such as coffee trucks, sandwich trucks etc. are permitted to attend construction sites and commercial sites to serve staff on-site without a Traders Permit from the City, as it is trading on private land.

Even though a Traders Permit is not required, food vehicles servicing construction sites and commercial sites still need to ensure:

- They do not attend sites within 300m of an established food business that sells a similar product - They only attend sites by prior arrangement with the consent of the site supervisor/manager.
- They only sell pre-packaged food, however, coffee and other drinks can be prepared to order. Food preparation and cooking cannot be undertaken on-site.
- They do not park the vehicle longer than the time needed to serve their customers
- They have a Certificate of Registration from the local government where the vehicle is housed overnight.

Trading on private land outside of these requirements needs to be discussed further with both the City's Planning Services and Health Services. Applicants wishing to undertake extended trading on private land should arrange for a joint meeting with the City's Planning and Health teams to discuss their proposal at their earliest convenience and prior to making a vehicle purchase.

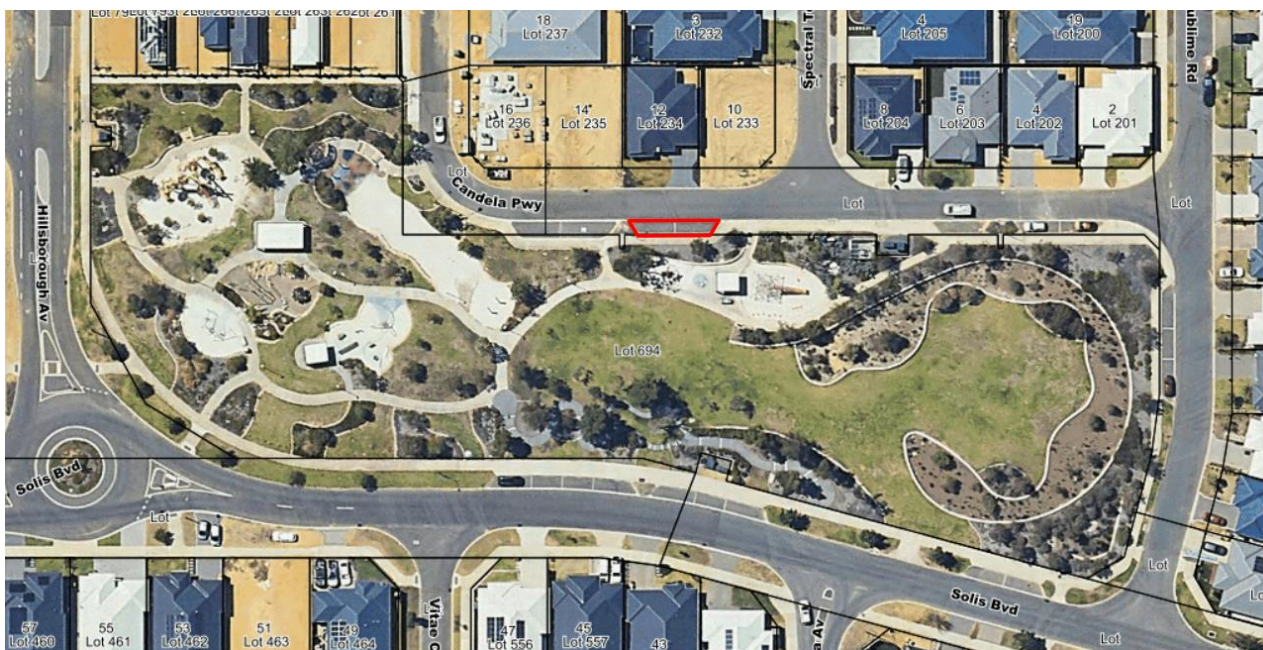


## Fixed Food Vehicles Trading Permits

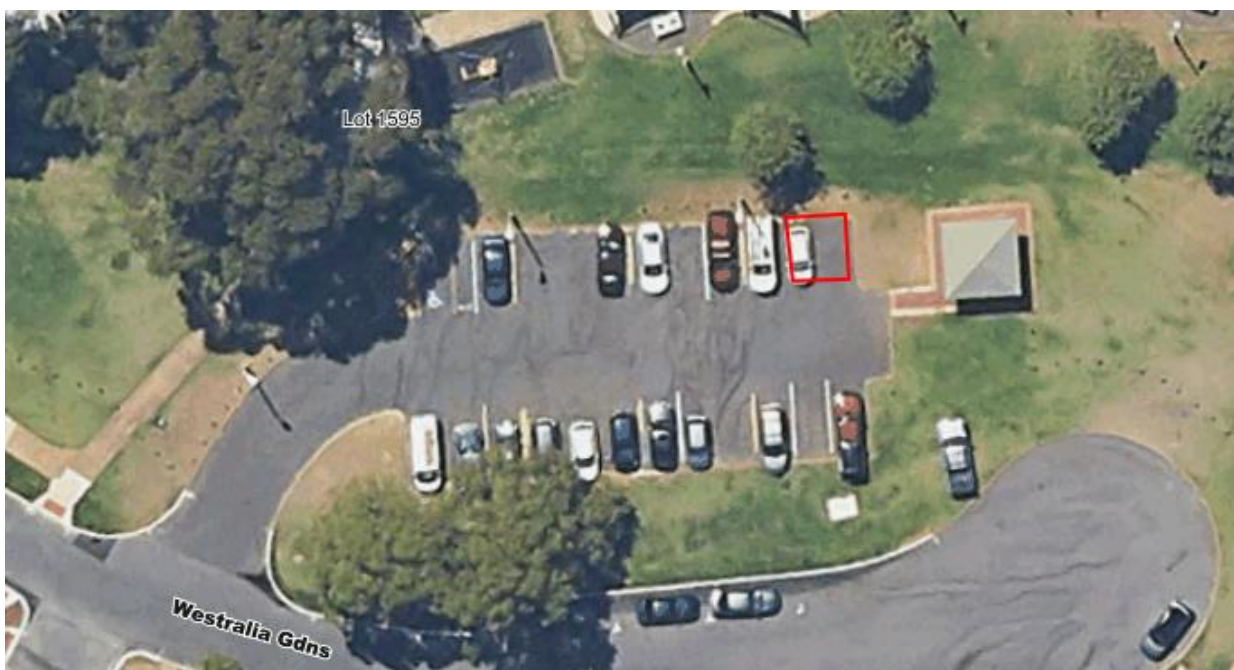
Certain locations have been identified as being conducive to longer mobile food vehicle trading. These locations have been selected taking into account the distance to established food premises, pedestrian access and safety, vehicle access and traffic safety, public parking requirements, lighting, toilets and current food industry servicing.

As such, Fixed Food Vehicles Trading Permits will be issued on a nominated daily basis for a mobile food vehicle to trade at each of the following locations (indicated in red):

### Baldivis Adventure Park



### City Park, Rockingham





## Fantasy Park Waikiki



### Special Considerations:

- Cannot trade in this location during approved food truck events

## Governor Road Reserve

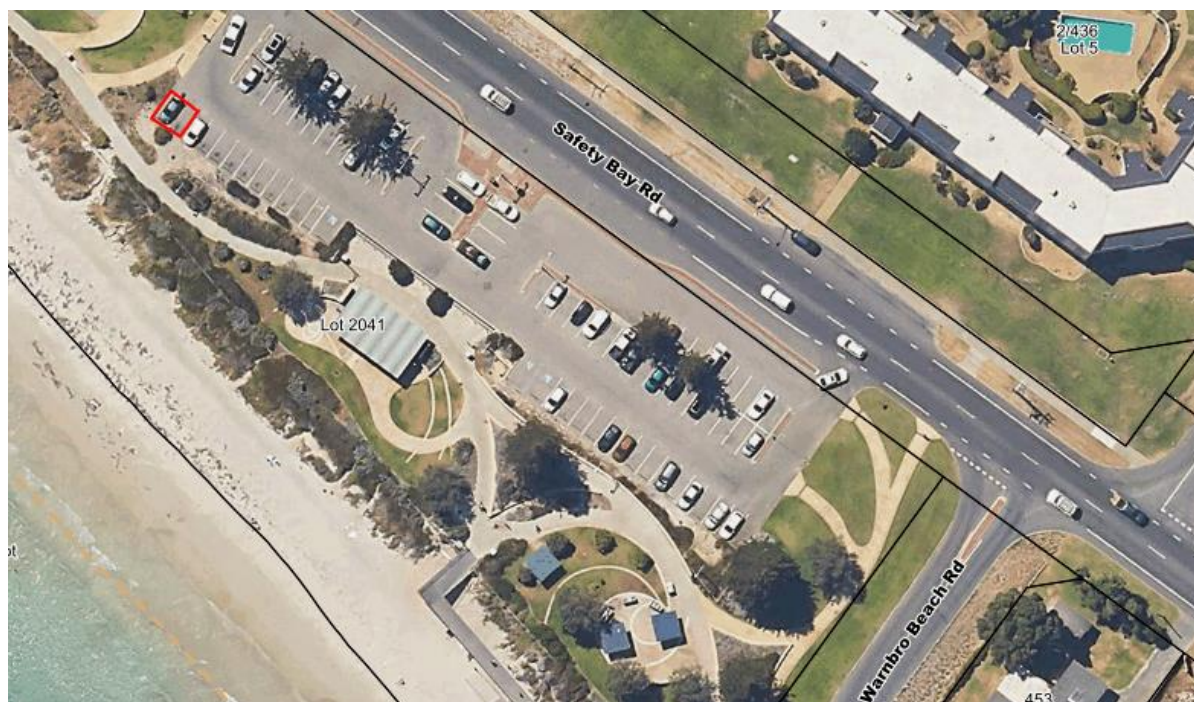




Long Point (Port Kennedy Boat Ramp) Port Kennedy



Safety Bay Foreshore - Malibu Road

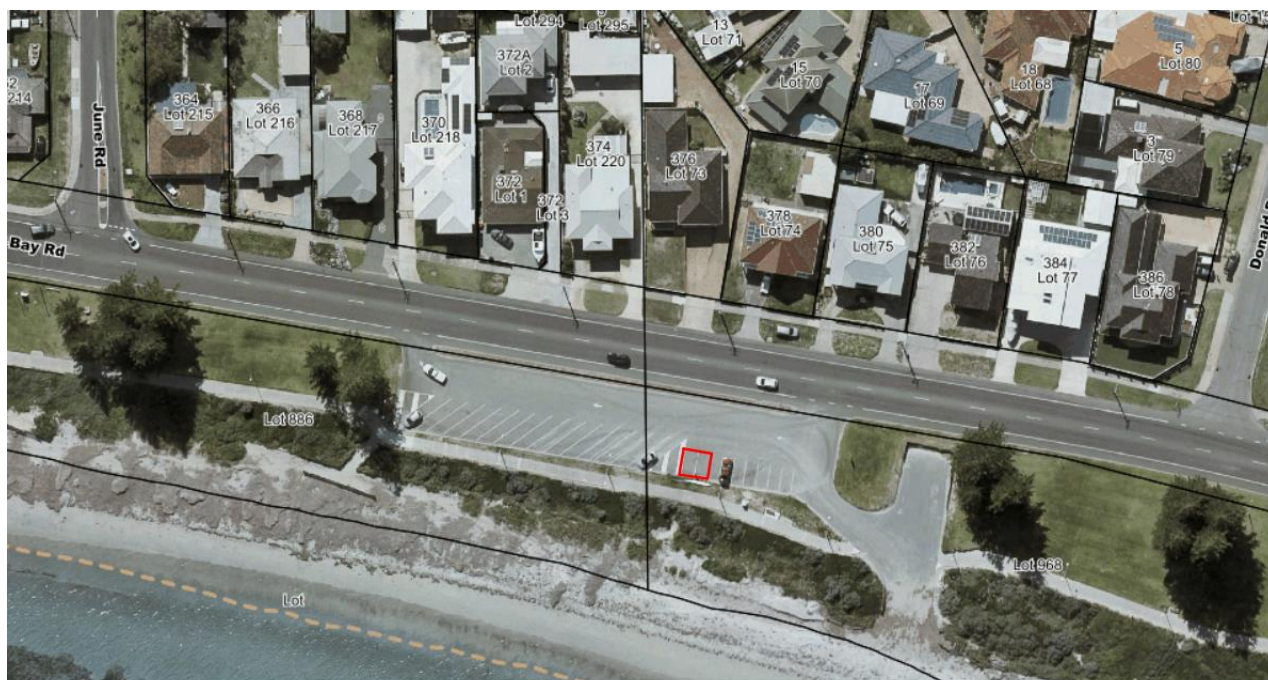


Special Considerations:

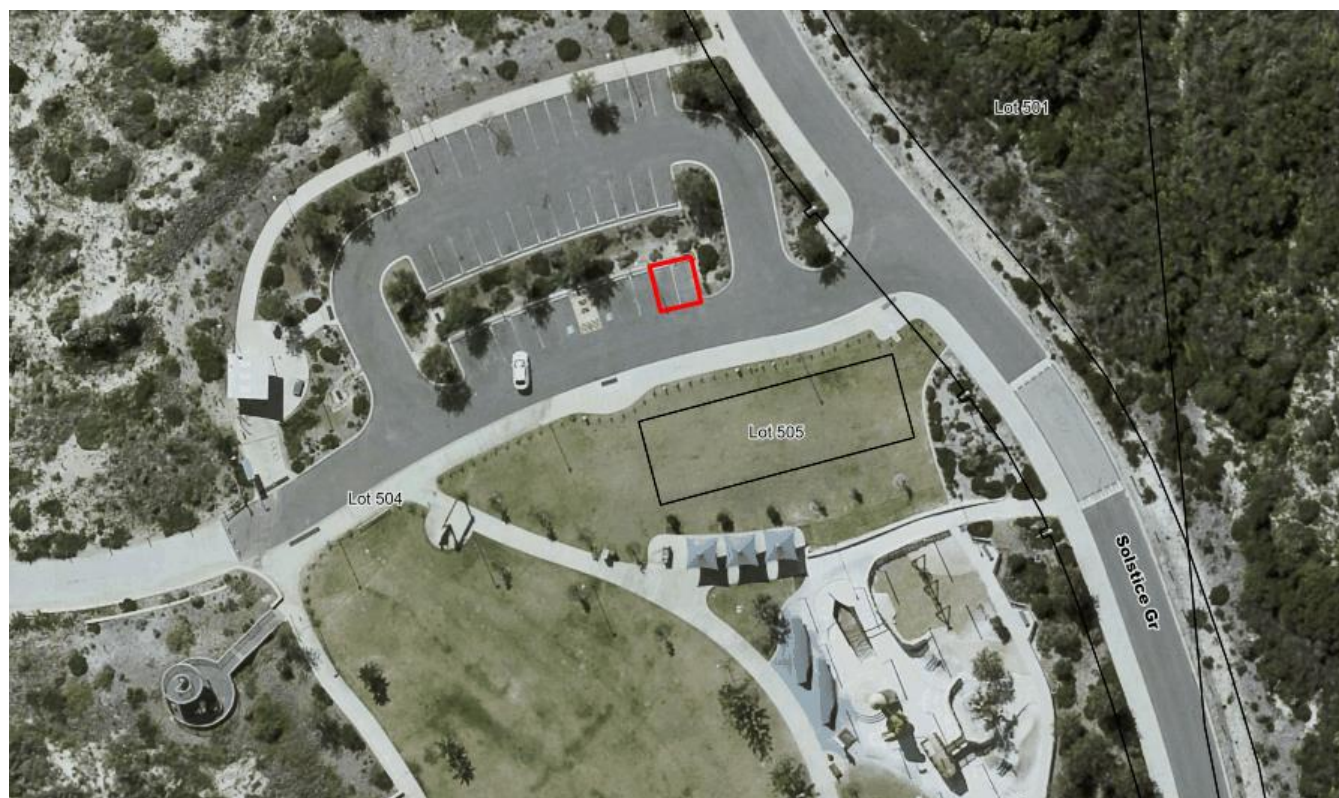
- Cannot trade in this location during approved food truck events



## Safety Bay Foreshore – Donald Drive



## Shipwreck Cove, Golden Bay





## Shoalwater Reserve - Activity Node



## Singleton Foreshore



### Special Considerations:

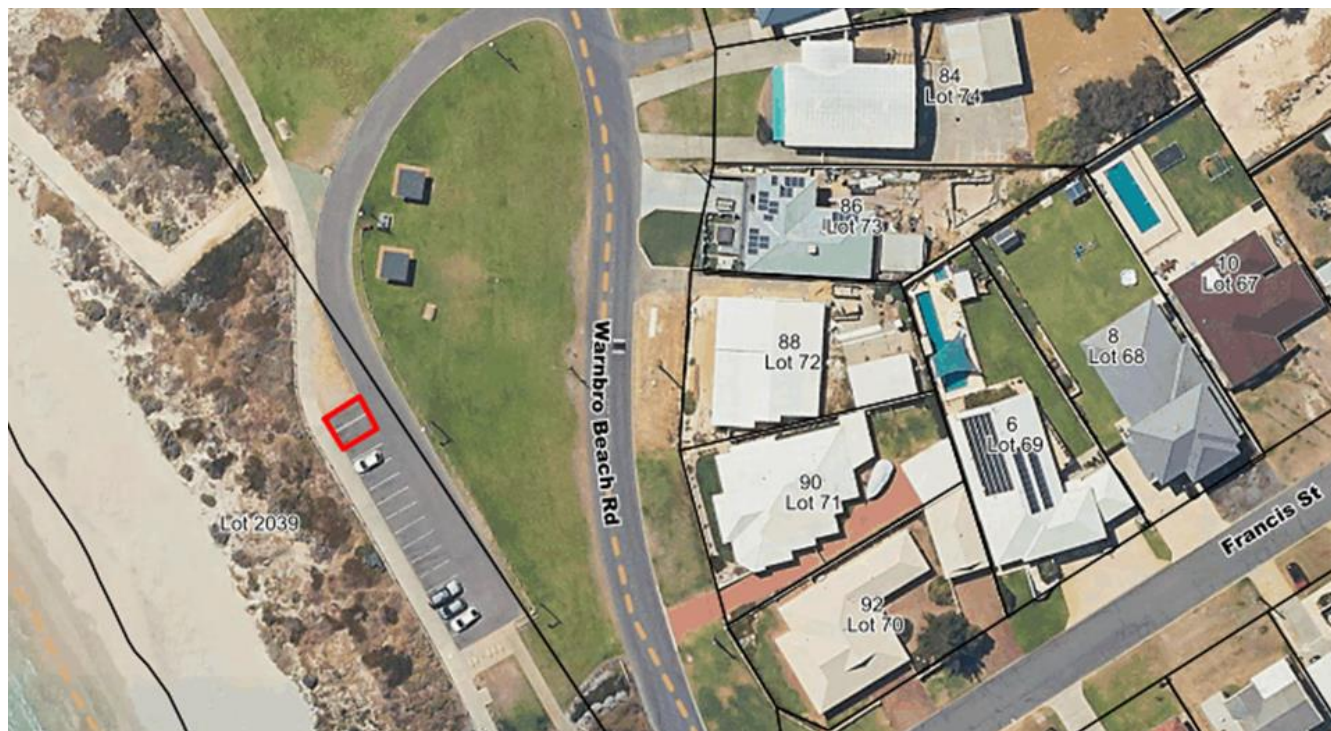
- Cannot trade in this location during approved food truck events



## Treehouse Cove, Golden Bay



## Waikiki Foreshore - Francis Street





## **Application Process**

A call for applications will be sought annually for all Fixed Food Vehicles Trading Permit locations. Applicants can nominate their preferred trading location/s and requested trading dates.

Applications will be assessed and prioritised based on a number of factors, including:

- number of allocations already given to the applicant within past Fixed Food Trading seasons;
- preference being given to food vehicles housed within the City of Rockingham;
- history of compliance with the *Food Act 2008*, *City of Rockingham Public Places and Local Government Property Local Law 2018* and other *City of Rockingham Local Laws*;
- proposed menu is compatible with the location, surrounding uses, food businesses and key location user groups.

The application fee will only be charged to those applicants successful in gaining a trading location. Successful applicants will be invoiced for the Fixed Food Vehicle Trading Permit fees at the time that the Permit is issued.

Successful applicants will be granted a Fixed Food Vehicle Trading Permit for the approved dates.

If there are multiple applicants for the same date, the final decision on the successful permit application will be made by the Manager Health and Building Services.

## **Application Requirements**

Food vehicles are required to be fully self-contained and removed from the location on completion of trade each day.

All rubbish from the food vehicle is to be removed and disposed of at an approved location to the satisfaction of the Manager Health and Building Services and in accordance with the City of Rockingham's Waste Local Law 2020.

An adequate supply of water is to be provided for the duration of trade, and all waste water is to be contained within the vehicle and disposed of at an approved location to the satisfaction of the Manager Health and Building Services.

Food is to be take away service only, the supply of tables, chairs or any structures are not permitted upon the reserve.

Applicants must complete the Fixed Food Vehicle Trading Permit Application Form, provide a list of foods to be sold, a copy of their Certificate of Registration of a Food Business, Public Liability Insurance Certificate and a layout of their food vehicle.

## **Ongoing Trade**

All days have been split into two trading slots, morning and afternoons. These allocations are detailed below:

- **Summer** - 1<sup>st</sup> October to 30<sup>th</sup> April
  - 6:00am to 1:00pm; or
  - 1:30pm to 8:00pm
- **Winter** - 1<sup>st</sup> May to 30<sup>th</sup> September
  - 7:00am to 1:00pm; or
  - 1:30pm to 7:00pm

Suitable lighting must be available in the immediate trading area for food vehicles to safely trade before sunrise and after sunset.

The permitted locations will have a signage installed to allocate the area exclusively to the Permit Holder. Only the approved vehicle specified on the Permit is allowed to trade at the permitted location. The approved food vehicle is only to trade from the permitted location specified within the permit issued. Trading from any other location within the vicinity is not permitted and will constitute as a breach against the Permit should suitable evidence be provided.

Approved vehicles are not permitted to remain on-site overnight, and must cease trade as per the times stated within the permit issued.

Permit Holders are required to trade on their approved days. The City's authorised Officer at their discretion revoke a permit if Permit Holders do not attend more than three days. If a Permit Holder is unable to trade due to vehicle faults, emergencies or the like, they should notify the City's Health Services in writing with as much notice as possible.

Permit Holders are not permitted to exchange trading days or locations with other Fixed Food Permit Holders.

Any amendments to the permit, such as cancellations, changes to days and/or locations are to be made in writing, **no later than 7 days prior**. Failure to do so, results in fees being forfeited and/or approval not being granted.

The City of Rockingham may, with a minimum of 2 weeks' notice, prevent trading on certain days. This may be due to maintenance requirements or other reasons. The City will endeavour to allow trade to continue if it is safe to do so. Emergency works take priority, and trading must be suspended if instructed by the City in an emergency situation.

Locations will be reviewed annually prior to calling for expressions of interest. If a location is no longer considered suitable, at any time throughout the year it will be removed.

## APPLICATION CONSIDERATIONS

### Fees

#### **Event Permit Fee**

Application and Annual Permit Fee ..... \$50.00

#### **Market Permit Fee**

Application and Annual Permit Fee ..... \$50.00

#### **Event and Market Permit Fee**

Application and Annual Permit Fee ..... \$100.00

#### **One-Off Food Stall Fee**

Application Fee ..... \$66.00\*

Permit Operating Fee (per day)..... \$11.50

\* *GST is not applicable to the application fee.*

#### **Traders Permit - Ice Cream Van**

Application Fee ..... \$50.00\*

Operating Fees *(including GST)*

Daily Fee ..... \$10.00

Weekly Fee ..... \$50.00

Monthly Fee ..... \$100.00

Annual Fee..... \$1000.00

\* *GST is not applicable to the application fee.*

#### **Fixed Food Vehicles Trading Permit**

Application Fee..... \$66.00\*

Permit Operating Fee (per day) ..... \$11.50

\* *GST is not applicable to the application fee.*

## Food Act Registration

All food premises where food is prepared for sale, stored or sold require a Certificate of Registration under the *Food Act 2008*. This also extends to food vehicles and food stalls, as well as any other location that food is prepared or stored for sale (such as a home business).

The Certificate of Registration is issued by the local government where the food vehicle/food stall is housed overnight. In considering an application for a Certificate of Registration, the local government Environmental Health Officer will assess the suitability of the location for the food preparation being undertaken.

Please note that high risk food preparation cannot be approved at home. Please also note that if food is being prepared within a commercial kitchen then approval needs to be sought from that local government to then sell off-site.

The Certificate of Registration must be included in the Permit application. Only approved foods can be sold. Any additional products not already approved will need approval from the local government that issued the Certificate of Registration before a Permit application is made.

The City's Permits Officer checks with the local government that issued the Certificate of Registration to confirm validity and the approved foods, prior to approving a traders permit.

## Food Act Compliance

The City's Environmental Health Officers undertake unscheduled inspections of food premises, food vehicles and food stalls. It is important to inspect food retailers to ensure food is being prepared safely and in accordance with the food legislation.

Food retailers, their staff and volunteers must be familiar with the requirements under the *Food Act 2008* and the subsidiary legislation to ensure they are complying at all times. Particular attention should be paid to ensure food is maintained at the correct temperature at all times, that the food vehicle/food stall is clean and protected from dust, dirt, pests and accumulations of grease and grime, and that food handlers are washing their hands before handling food and after handling money.

The City has free online food handler training available on the City's website at [Food businesses - City of Rockingham](#). The free food handler training is detailed under 'I'm Alert Food Safety'. All food handlers are highly encouraged to undertake this quick training course to ensure they have a basic understanding of food safety.

Breaches of the *Food Act 2008* can result in an infringement being issued, a direction being issued to dispose of dangerous food or to cease trading, or future applications to trade within the City of Rockingham being denied. If a non-compliant food vehicle/food stall is registered outside of the City of Rockingham, the City's Environmental Health Officers will contact that local government for further follow up.

The City's Environmental Health Officers want to see successful and safe food retailers operating within the City, and are happy to be contacted for advice or any food safety questions on 9528 0315.

## Insurance

Public Liability Insurance provides the Permit Holder with insurance cover for their legal liability to third parties for injury and/or property damage arising from conducting their permitted activity. Permit Holders must hold a current public liability policy with an APRA (Australian Prudential Regulation Authority) approved insurer.

A copy of the applicant's Public Liability Insurance (Certificate of Currency) with a cover of not less than \$10,000,000 (ten million dollars) must be provided upon application. The insurance must be maintained for the duration of the Permit.

## **Rubbish**

All rubbish associated with the food vehicle is required to be contained and disposed of at an approved location, in accordance with the [City of Rockingham's Waste Local Law 2020](#) and to the satisfaction of the Manager Health and Building Services.

Permit Holders should also check the immediate areas surrounding their vehicle on completion of trade for any additional rubbish associated with their business and dispose of that as well.

## **Power**

All food vehicles are to be self-contained via the use of a generator. The use of City power will not be provided.

Generators are to be adequately and safely secured to restrict access to patrons and kept clear of public access. Electrical leads are not to be placed in trafficable areas or to create a trip hazard.

## **Water and Waste Water**

All food vehicles are required to be self-contained, with an adequate supply of potable water for the duration of trade. Waste water is to be self-contained and disposed of at an approved location, to the satisfaction of the Manager Health and Building Services.

Food stalls also require hand washing facilities, and washing up facilities if there is food preparation or cooking occurring within the stall. An adequate supply of water is required for the duration of trade. Waste water is to be disposed of at an approved location, to the satisfaction of the Manager Health and Building Services.

## **Protection of Reserves**

Each application will assess the potential impact on a reserve. Some reserves may not be able to take activities that are likely to cause damage, where there is heavy equipment proposed to be taken onto the reserve. If the City determines that the proposed location is not suitable for the activity, the City's Permits Officer will endeavour to work with the applicant to find a suitable alternative location.

Upon approval, prior to the commencement of the activity each day, the Permit Holder must:

- (a) carry out a site safety inspection of the permitted location; and
- (b) report in writing to the City any unsafe condition with respect to the permitted location or any concern of the Permit Holder.

If the City determines that substantial damage has been caused by the permitted activity, it is the responsibility of the Permit Holder to rectify the damage. Alternatively, if the City is to repair any damage caused by the Permit Holder then the cost of repair will be responsibility of the Permit Holder.

## **Noise**

Noise, including generators, must be kept to a reasonable level to not cause a noise nuisance to surrounding residents or businesses during the permitted activity.

## Signage

As part of the approved Permit the City allows one advertising sign, with maximum dimensions of one metre by one metre, can only be displayed within the permitted location while the permitted activity is being conducted.

## Structures (Tents, Marquees and the like)

All temporary structures (tents, marquees etc.) which are larger than 3m x 3m require City approval. The information required for temporary structures to be approved includes:

- The purpose for which it will be used.
- The design integrity and ground conditions.
- Erector's competence.
- Manufacture details:
  - Code/Standards it complies with
  - Structural adequacy
  - Design parameters.

Once the structure is erected, the installer shall complete a Certification of Structures Form to confirm that the structure has been erected in accordance with all design criteria, engineering details or manufactures instructions and that all structures have been constructed to be structurally sound. This form must be completed for all structures, and submitted to the City within five days after the initial operation has occurred.

Permit Holders intending to erect a structure or dining equipment in addition to their food vehicle need to include this detail on their application.

## Further Information

The City is committed to assisting applicants successfully gain their approvals.

The City's Permits Officer is your contact for the City, and will liaise with any other departments within the City to assist you in successfully obtaining your Permit.

The Permits Officer is also able to arrange for a pre-lodgement meeting to assist you in completing your Permit Application.

The Permits Officer can be contacted directly on 08 9527 0730.



## Appendixes

# Guidelines for Food Stallholders

### Guidelines for Food Stallholders

This Guideline has been developed to assist you in your application for a Stallholder's Permit. For more detailed information and the legal provisions, reference should be made to the City of Rockingham Public Places and Local Government Property Local Law 2018, the Food Act 2008 and subsidiary legislation.

### When is an Application Required?

#### Food Stalls –

A stallholder who proposes to operate a food stall, which will offer food or drinks for sale to the public, must make an application to the City's Health Services.

#### Event and Market Permits –

An Event and/or Market Permit can be issued to stall holders who operate a food stall at ongoing approved markets or events held within the City. These Permits allows the stallholder to sell food at any of the approved markets or events within the City, given that they have obtained consent from the organiser.

FOOD STALLS	
Food & Methods Permitted	Food & Methods <u>NOT</u> permitted
<b>Low risk foods (associated with a registered food business)</b>  Raw fruit and vegetables, bread, muffins, cakes (no cream), nuts, biscuits, jams, honey, pickled products, canned foods, pasteurised juices, powdered drink products.	<b>On site food preparation</b>  Where potentially hazardous foods are handled (raw meats), and where a pathogen control measure such as cooking is not utilised - including but not limited to sushi, rice paper rolls, sandwiches / rolls or any other food where direct contact with hands is required.
<b>Correctly Labelled Packaged Food</b>  Nuts, biscuits, jams, honeys, cupcakes	<b>Boiling</b>  More than 5L of water, stock, soup at a time. Less than 5L at a time is accepted.
<b>Barbeques &amp; Sausage Sizzles</b>  Sausages, meat patties, and vegetables etc.	<b>Deep frying</b>
<b>Reheating</b>  Ready to eat meals kept under temperature control – food must be prepared at an approved Food Business within 24 hours of sale.	

## Guidelines for Food Stallholders

### Temporary Food Stall Requirements

General
<ul style="list-style-type: none"> <li>The stall and equipment should be easily cleanable and weather-proof.</li> <li>The stall must have a roof, three sides enclosed and a floor covering.</li> <li>Where a food stall is erected on unsealed ground, a suitable impervious material shall be laid over the ground area of the stall.</li> <li>The food stall must be kept in clean and sanitary condition and all fixtures, fittings and equipment should be in good condition.</li> <li>Animals must not be allowed in the food preparation area or service area at any time.</li> </ul>
Transportation & Storage
<ul style="list-style-type: none"> <li>All food must be stored in sealed and labelled containers and be transported to the site in refrigerated vehicles, approved / insulated vehicles or, for small quantities (of approved food products only) in large eskies packed with ice, and be maintained at a temperature of less than 5°C.</li> <li>Previously prepared hot foods must be stored in sealed containers and be transported in heated containers capable of maintaining the food at a temperature greater than 60°C.</li> <li>Food not requiring refrigeration, such as fruit, bread and the like, must be stored in dust-proof containers.</li> </ul>
Protection of Food
<ul style="list-style-type: none"> <li>Raw and cooked foods must be stored and handled separately to prevent cross-contamination.</li> <li>Disposable eating and drinking utensils only shall be used.</li> <li>All food stored inside the stall shall be stored 750 mm clear of the ground and covered or in closed containers.</li> <li>Food shall not be displayed so as to be openly accessible to the public. A physical barrier shall be provided by means of sandwich display type counters, Perspex glass sneeze guards or clear plastic siding to the stall.</li> <li>All condiments such as sauce or mustard shall be contained in squeeze type dispensers or in individual sealed packs.</li> <li>All disposable eating utensils shall be pre-wrapped in paper napkins, cellophane bags or similar material prior to distribution to the public. Drinking straws, paper cups, spoons etc. shall be enclosed in suitable dispensers or otherwise protected from contamination.</li> </ul>
Food Temperature Control
<ul style="list-style-type: none"> <li>All takeaway food prepared in the stall shall be for immediate sale and consumption unless a suitable food warmer or food display, maintaining the food at a temperature of at least 60°C (hot foods) or below 5°C (cold foods), is provided.</li> <li>All raw food and perishable foods such as steaks, hamburger patties, Frankfurts, shall be stored in a portable cooler together with an adequate supply of ice or a cooling medium.</li> <li>The sale of pre-cooked chicken or pre-cooked chicken pieces or pre-cooked rice from a one day food stall is not permitted.</li> <li>All food stalls must have a thermometer which is accurate +/- 1°C. The thermometer shall be cleaned and sanitised before use and in between uses on different foods, so as to prevent cross contamination.</li> </ul>



## Guidelines for Food Stallholders

### Washing Facilities

- Separate hand washing facilities and utensil washing facilities shall be provided within the stall.
- Hand washing facilities must comprise of warm running water (plastic water storage container with a tap), disposable hand towels and liquid soap and a waste water collection bucket.
- Permanent or regular stalls must be provided with a fixed hand wash basin with a constant supply of warm running water.
- Food grade detergents and sanitisers should be used on all food contact surfaces.

### Cooking

- All heating and cooking equipment including open flames, barbeques and cooking plates shall be located within the stall or otherwise suitably protected from contamination.
- Raw foods waiting cooking and foods which have been cooked shall not be displayed outside the stall. Raw foods waiting cooking shall not be stored or held outside the stall
- The cooking area shall be kept free from dust-borne contamination and droplet infection (coughing, sneezing etc. by the public).
- Cooking and heating equipment shall not be within reach of the public.
- A fire extinguisher of adequate size shall be provided convenient to every stall where open flame cooking is carried out.
- Where cooking is carried out, provision shall be made to protect the stall walls from heat, flame and splashing.

### Labelling

- All packaged food sold in Australia must be labelled in accordance with the Australia New Zealand Food Standards Code. The label should include:
  - A description of the food, for example, 'strawberry jam' or 'chocolate cake';
  - The name and address of the person or company who made the food, so that the maker can be traced if there is any problem with the food. A street address is needed, as a post office box cannot be traced;
  - A list of ingredients;
  - A 'best before' date to indicate how long the food will keep;
  - Any special storage conditions, for example, 'keep refrigerated'.
- A simple handwritten label is fine.
- Relevant information must be available to the public if any of the ingredients may cause allergic reactions. These ingredients include:
  - Gluten, a substance found in wheat, rye, barley, oats and spelt, and therefore present in foods made from these grains, such as flour
  - Fish, fish products, crustacean (shellfish) and products
  - Eggs and egg products, milk and milk products
  - Soya beans and products
  - Peanuts and products
  - Sesame seeds and products, and other nuts and products
  - Sulphites (a preservative)
  - Royal jelly (secretion from the salivary gland of bees)
  - Bee pollen (pollen collected from the legs of bees)
  - Propolis (a substance collected by bees)
- If any foods contain Royal Jelly, a warning statement must be included on the label.

## Guidelines for Food Stallholders

### Rubbish

- Suitable garbage disposal receptacles shall be provided near the stall for the public to dispose of used takeaway food containers and the like.
- Adequate arrangement shall be made for the storage and frequent removal of garbage generated inside and outside the food stall.

### Hygiene of Food Handlers

- Hands must be washed on a regular basis and food handlers must practice excellent personal hygiene at all times.
- Use clean utensils (tongs) to handle food wherever possible. Where utensils can't be used, disposable gloves shall be worn and changed on a regular basis.
- Cover wounds with a bright coloured waterproof band-aid and disposable gloves.
- All food handlers shall wear a clean head covering (hat or hairnet) and apron.
- Money and food handling activities should be performed by separate people to minimise the risk of food being contaminated.
- All food handlers should have access to sanitary facilities and should be free from symptoms of food borne illness (vomiting and diarrhoea).

### Pre-prepared Food

- Food preparation prior to the event must be undertaken in an approved food premises or approved residential premises. Further information can be obtained from the City on request.

### Mobile Food Vehicles

- Foods and methods limited to the Certificate of Registration issued by the approving Local Government Authority

## **REMEMBER! FOOD SAFETY IS IN YOUR HANDS**

Please Note: A Stallholders Permit is NOT transferable and will not be issued to allow trading from road reserves within the City.

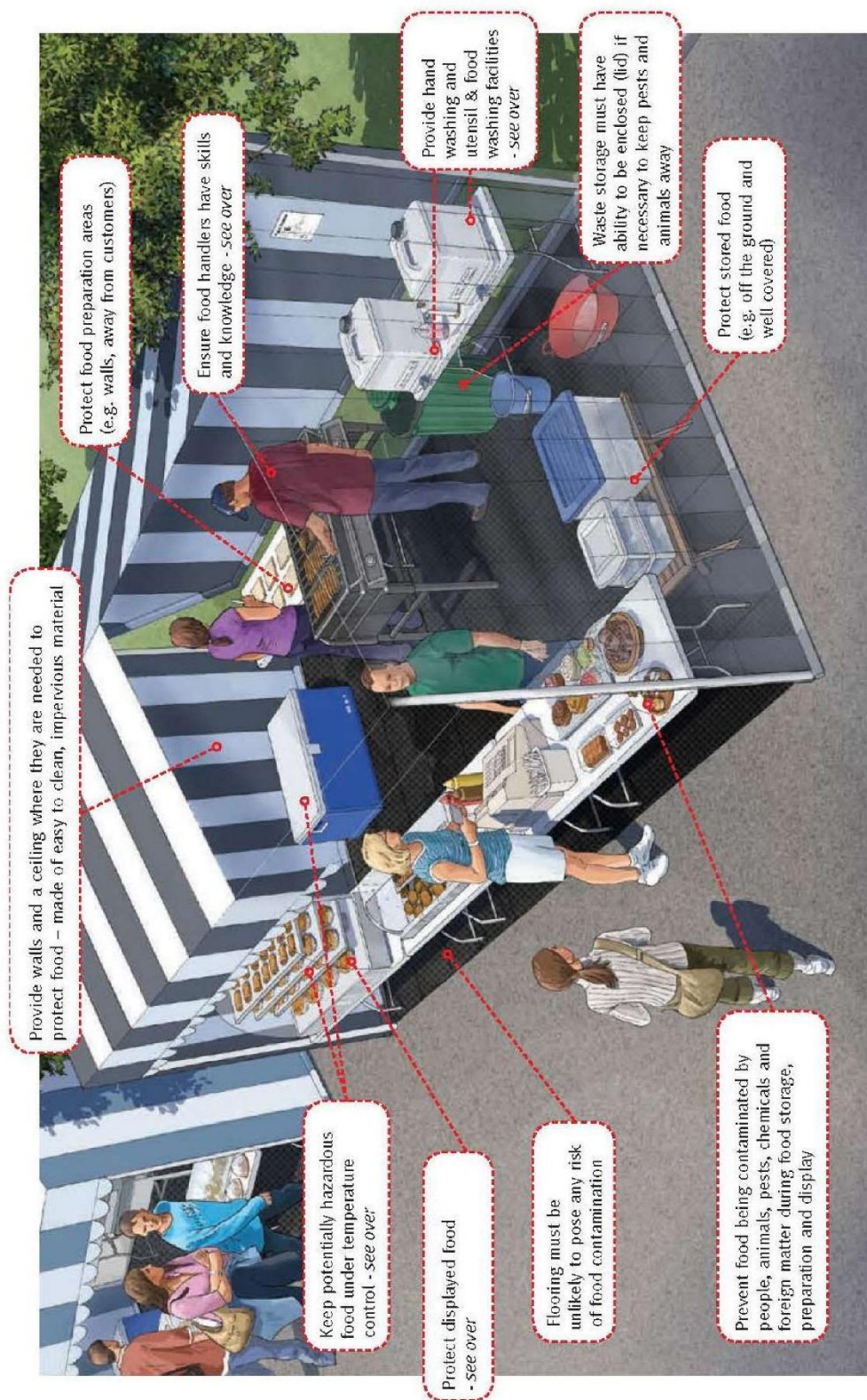
Applicants will be held responsible for compliance with the Food Act 2008. Offences identified under the Act may result in approval being withdrawn, food products being seized and destroyed, infringement notices being issued or prosecution.

The City's Health Services can be contacted on 9528 0333 for further assistance.



## Guidelines for Food Stallholders

### GUIDE FOR THE DESIGN AND OPERATION OF A TEMPORARY FOOD PREMISES (STALL)



This document is for guidance only and is not legally binding. Each premises will be assessed on its own individual food safety risks by the relevant local enforcement agency. Other requirements may also apply (e.g. LPG use, fire control, waste disposal) – seek advice from your local enforcement agency.



# Guidelines for Food Stallholders

## Hand washing facilities

Container of sufficient size (e.g. 20 litres) with tap and potable water (warm running water is required unless written approval from enforcement agency)

Liquid soap and paper towels

Container for waste water. The waste water is to be disposed of appropriately (e.g. to sewer or without risk of entering stormwater/ waterways)

## Utensil and food washing facilities

Container of sufficient size (e.g. 20 litres) with tap and potable water

Hot water and/or food grade chemical sanitiser for sanitising if needed

Provide separate washing and rinsing containers for food and for utensils, as needed

## Food handlers

Ensure food, utensils and food contact surfaces are not contaminated by hands, hair, jewellery, wounds, coughs, etc.

Clean person, attire and habits

No smoking in stall

Money and food handled separately



Must have skills & knowledge in food safety and food hygiene matters

Exposed wounds covered with waterproof covering

Avoid unnecessary contact with food by using utensils or gloves

Hands must be washed whenever they are likely to contaminate food

## Food display, single use items and condiments

Protect displayed food from contamination (e.g. using lids, cling wrap or sneeze barriers)

Protect single use utensils from contamination (e.g. store handle up) and do not reuse

Clean the outside and top of dispenser bottles and do not top-up bottles

Provide separate serving utensils for each self-serve food



## Temperature control of potentially hazardous food

Cold food – ensure 5°C or below

Check food temperature with thermometer (accurate to  $\pm 1^{\circ}\text{C}$ )

Hot food – ensure 60°C or above



Please seek advice from your local enforcement agency if planning to use an alternative to appropriate temperature control for display of potentially hazardous food.





Department of Energy, Mines,  
Industry Regulation and Safety



# Checklist for gas installations in public venues

The catering vendor is to complete the following checklist before an event to ensure the safety compliance of gas installations and submits it to the event organiser.

Checklist – please print clearly	
<b>Event:</b>	
<b>Event organiser details</b>	
Name:	Ph:
<b>Responsible person nominated by the Event organiser</b>	
Contact person's name:	Ph:
<b>Catering Vendor</b>	
Catering Vendor Business name:	
Location of business at the event:	
Type of business structure (caravan, marquee etc.):	
Responsible Catering Vendor person's name:	Ph:
Total stored/used LP Gas at site (Kg)	
<b>Person completing checklist (Catering vendor)</b>	
Name:	Ph:

### Cylinders and regulators

Checklist	Yes	No
Are LP Gas cylinders in good condition? (NOT damaged, rusty or over 10 years old?)		
Have all cylinder connections been checked for leaks? Watch Gas Energy Australia's <a href="#">video on how to connect the new valve to your BBQ</a> .		
Are all LP Gas cylinders located outside in a well-ventilated area and protect from tampering?		
Are all LP Gas cylinders located away from flammable materials and ignition sources?		
Are LP Gas cylinders restrained upright on a level, non-combustible surface?		

### Hose and consumer piping

Checklist	Yes	No
Are all used hoses in good condition (i.e., not damaged, or rusty)?		
Are all hoses in use protected from accidental damage?		
Are all used hoses less than 3m in length?		
Is a trip prevention cover installed?		

## Gas appliances

Checklist	Yes	No
Are all appliance approved for use in Western Australia?		
Are all gas appliances in good working order?		
Have appliances been serviced within the last 12 months by a qualified person? (appliance should have a service label attached show date of service)		
Are all portable gas appliances (ring/wok burners) correctly secured and placed on non-combustible surfaces?		

## Safety procedures

Checklist	Yes	No
Do staff know what to do in an emergency?		
Is there a suitable fire extinguisher and fire blanket handy?		
Has someone been nominated and trained to connect and disconnect LP gas cylinders?		

Disclaimer – The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

### Building and Energy

Department of Energy, Mines, Industry Regulation and Safety

1300 489 099 – 8.30am – 4.30pm

Level 1 Mason Bird Building

303 Sevenoaks Street (entrance Grose Avenue)

Cannington Western Australia 6107

M: Locked Bag 100, East Perth WA 6892

W: [www.demirs.wa.gov.au/building-and-energy](http://www.demirs.wa.gov.au/building-and-energy)

E: [be.info@demirs.wa.gov.au](mailto:be.info@demirs.wa.gov.au)

Goldfields/Esperance

(08) 9021 9494

Great Southern

(08) 9842 8366

Kimberley

(08) 9191 8400

Mid-West

(08) 9920 9800

North-West

(08) 9185 0900

South-West

(08) 9722 2888

National Relay Service: 13 36 77

Translating and Interpreting Service (TIS): 13 14 50




This publication is available in other formats on request to assist people with special needs.

## CAKE STALL FUNDRAISER INFORMATION



This information applies to the fundraising activity of low risk cake stalls conducted to raise money solely for purposes that are of a charitable or community nature by Schools and Church groups at their premises for fetes, open days and the like.





The types of cakes permitted to be prepared from residential premises include:

-  Cakes (**No** fresh cream, cream cheese, custard or ganache)
-  Biscuits
-  Muffins

### Labelling and Packaging Requirements

All items must be wrapped in glad wrap or placed in suitable food grade containers.

Each item must be labelled with:

-  Ingredients
-  Date Made and, if frozen, Date Frozen
-  Made by or Suppliers details including contact details.
-  **ALLERGENS** such as Eggs, Milk, Peanuts, Gluten, Soyabeans, Sesame Seeds, Tree nuts must be highlighted on the label.

Sample Label 1 could be used in a school setting where the cakes are being sold within the school community. Sample Label 2 could be used at a School Fete or Church Fundraiser where the cakes are sold to the public, this label type would require the organiser to keep a list of all the cakes baked and the volunteers who baked them, assigning each volunteer with a supplier number. This is to ensure the products can be traced back should there be any issues.

#### Sample Label 1

Vanilla Cupcakes

Ingredients: Cake - flour, butter, sugar, milk, egg, baking powder, vanilla extract. Icing - icing sugar, butter, sprinkles and water.

Baked on 26 September 2016

Made by Mrs Jessica Jones (Room 2)

**ALLERGENS: EGGS, MILK, FLOUR**

#### Sample Label 2

Vanilla Cupcakes

Ingredients: Cake - flour, butter, sugar, milk, egg, baking powder, vanilla extract. Icing - icing sugar, butter, sprinkles and water.

Baked on 26 September 2016




Made by Rockingham Primary School Supplier No. 5  
Cupcake Street, Rockingham Ph: 9123 4567

**ALLERGENS: EGGS, MILK, FLOUR**

### Notification Requirement:

The Food Act 2008 exempts charitable and not for profit organisations from food registration for residential premises for the purpose of preparing low risk cakes. However, there is still a requirement to notify the City of Rockingham of these food preparation activities. Notification and submission of the 'Application for a Stallholder Permit' form by email to [customer@rockingham.wa.gov.au](mailto:customer@rockingham.wa.gov.au) is required at least two weeks prior to the cake stall.

Providing the following details:

-  Date and location of the stall.
-  A copy of the information provided to the volunteer bakers, if different from this information sheet.
-  A copy of the Public Liability Insurance.

The City will permit each organisation to run four (4) low risk cake stalls per year using the notification system. Should your organisations wish to hold more than four (4) low risk cakes stalls per year or sell other products such as jams, pickles or chutneys, approval is required from the City of Rockingham's Health Services. Refer to 'Preparing food for Sale in Residential Premises' information guide for further information and requirements, or contact the City of Rockingham Health Services.

Phone: 9528 0315  
Email: [customer@rockingham.wa.gov.au](mailto:customer@rockingham.wa.gov.au)  
Webpage: [www.rockingham.wa.gov.au](http://www.rockingham.wa.gov.au)