

Guide for Temporary Food Vendors



Environmental Health | Development Services



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Introduction

This guide is to be read in conjunction with the City of Stirling's [Application for a Permit to Provide Food at Events](#) and adopted by all temporary food (and drink) vendors wishing to seek approval to trade within the City, including charity and fundraising stalls (see also, [Section 4.0 Charity/Community Fundraising Events](#)).

For the purposes of this guide, the term “*temporary food vendor*” includes temporary food premises (market stalls, barbecue stands, liquor licenced areas, pop-up kitchens – including taste-testing) and mobile food premises (trucks, vans, trailers).

1.0 Legislative requirements

Temporary food vendors (food business proprietors) must comply with the following legislative requirements, regardless of the scale and type of operation. The definition of food includes the sale of drinks and alcohol.

1.1 Food Act 2008

All food handling must be undertaken within a registered food premises, including food preparation prior to an event, complying with the [Food Act 2008](#) and [Food Regulations 2009](#) notification and registration requirements.



See also the [Department of Health \(WA\) guidance information](#), including:

- [Registration of a food business](#).
- Note: some organisations may be exempt from registration, however must notify the City under section 107 of the *Food Act 2008* (see also, [Section 4.0 Charity/Community Fundraising Events](#)).

The City's [Application for a Permit to Provide Food at Events](#) satisfies the requirement to notify the City under section 107 of the *Food Act 2008*, with the exception of food businesses located within City of Stirling. These food businesses must comply with [Section 9.0 Registering a temporary food operation under the Food Act 2008](#)).

1.2 Food Standards Code

Temporary food vendors must comply with the [Food Standards Code](#) (Food Standards Australia New Zealand) including:

- Food Safety Standards: [Standard 3.2.2](#); [Standard 3.2.2A](#); [Standard 3.2.3](#).
- [Part 1.2 - Labelling and Other Information Requirements](#).

See also the FSANZ guidance information:

- [Mobile food business](#) and [Temporary food premises](#).
- [Information for charities and community organisations](#), including [Labelling and providing information about food sold at fundraising events](#).

2.0 Approval to trade within the City of Stirling

2.1 Events on City-owned land

In accordance with the City of Stirling [Thoroughfares and Public Places Local Law 2009](#), food business proprietors invited to attend a public event must hold a valid *Stallholder's Permit to Provide Food at Events* to trade on City-owned land.

Temporary food vendors must also receive prior consent from the event organiser. The City's Events and Sponsorship team are able to provide [further information for event organisers](#).

2.2 Trading locations on City-owned land

Footpaths – existing businesses may apply for a [Footpath Activation Permit](#).

Permanent public locations – currently unable to be approved. The City is drafting a Policy to facilitate mobile food vans operating outside of pre-approved events, and anticipate this will be presented to Council for consideration by end-of-2025.



2.3 Public events on private property

In the case of public events on privately-owned land, an [Application for a Permit to Provide Food at Events](#) satisfies the requirement to notify the City under section 107 of the *Food Act 2008*.

Temporary food vendors must also receive prior consent from the property and premises occupier/owner to trade, and should submit written confirmation with any application to the City's Environmental Health team.

2.4 Permanent trading locations on private property

Permanent locations on private property require approval from the City's Planning team. The [Starting a business](#) section of the City's website details approval requirements.

2.5 Application process

An [Application for a Permit to Provide Food at Events](#) must be submitted (with all required attachments), a minimum of two-weeks prior to an event to environmentalhealth@stirling.wa.gov.au.

Important note: food businesses located within City of Stirling must also refer to [Section 9.0 Registering a temporary food operation under the Food Act 2008](#).

2.6 Approval

Successful applicants will be issued a City of Stirling *Stallholder's Permit to Provide Food at Events*. Temporary food vendors must comply with all Stallholder's Permit conditions, in addition to obtaining prior consent from each event organiser, or private premises occupier/owner to trade at an event.

3.0 Inspections and Self-Assessment on Event Day

Prior to commencing food handling at an event, the food vendor must successfully complete the [Temporary Food Vendor Self-Assessment Checklist](#). There are many helpful links within the document – please ensure you read this prior to event day.

The [Temporary Food Vendor Self-Assessment Checklist](#) is used to demonstrate compliance with food safety requirements to the City's Environmental Health Officers and/or the event organiser. You should also be reminded of this by the event organiser by email, and may be provided a copy on bump-in.

The City's Environmental Health Officers may attend the event and conduct inspections. In the interests of public health and food safety, vendors that fail to comply with legislative requirements and/or permit conditions will not be permitted to trade.

4.0 Charity/Community Fundraising Events

A fundraising event is defined as an event that raises money solely for charitable or community causes (i.e. not for personal financial gain).

A charity may operate without a *Food Act 2008* Certificate of Registration if selling low-risk foods, however must notify the City by submitting an [Application for a Permit to Provide Food at Events](#); and include a copy of relevant documentation confirming its charitable status.

The Department of Health (WA) provides information for [Fundraisers, charities and volunteers](#); as does Food Standards Australia and New Zealand – [Information for charities and community organisations](#), including [Labelling and providing information about food sold at fundraising events](#).

4.1 Approved low-risk foods

Charity/Community groups without a valid Food Act 2008 Certificate of Registration are strictly limited to the sale of only **low-risk food** (e.g. fairy floss, popcorn, cakes without cream) and **food that is cooked and served onsite for immediate consumption** (e.g. sausage sizzles, popcorn and fairy floss). See the low-risk food table for examples.

Food Act Notification is still required for the sale of **low-risk foods** by submitting an [Application for a Permit to Provide Food at Events](#). Food handlers must have a basic level of food handler training, which can be gained via the City-subsidised [online food safety training programs](#) *I'm Alert* and *FoodSafe*.



Table 1: Examples of permitted low-risk food

Low-risk Foods (Permitted)	Examples
Baked goods (no cream)	Plain cakes, muffins, biscuits, bread, pretzels
Preserved foods	Jams, marmalades, chutneys
Packaged shelf-stable items	Confectionery, canned drinks
Dry goods	Tea, coffee, flour, grains, cereals
Cooked foods for immediate consumption	Fairy floss, popcorn, sausage sizzles (BBQ items must be cooked, served hot and consumed immediately)

4.2 Allergens

Due to the risk of allergens, a typical charity/community cake stall will require allergen information to be displayed by either:

- Displaying information about allergens next to the food on sale (if not packaged).
- Providing information about allergens if requested by a customer.

It is recommended that you distribute information about allergen management to volunteers well ahead of the event, to help with labelling and allergen management on the day.

Food Standards Australia and New Zealand (FSANZ) provides [Information for charities and community organisations](#), including [Labelling and providing information about food sold at fundraising events](#). Please refer to [Section 7.0 Labelling and Allergens](#) for further information.



4.3 Medium or high-risk foods

Medium and high-risk foods are generally **not permitted** at charity/community fundraising events. Medium and high-risk foods are considered potentially hazardous and must be produced and handled by staff with the appropriate level of [Food Safety Training](#). Examples are provided in the table below.

If you intend to sell any medium or high-risk foods, the charity or associated food business must be registered under the *Food Act 2008* and fully comply with the Food Standards Code (see [Section 1.0 Legislative requirements](#)).

Table 2: Examples of food requiring formal approval

Medium or High-risk Foods	Examples
Dairy-based items	Cream cakes, custards, soft cheeses
Cooked and stored foods	Rice dishes, spring rolls, samosas, pasta salads, curries
Raw or cooked meats and seafood	Sandwiches with cold cuts, sushi, fish or prawn dishes
Cut fruit and vegetables	Fruit salads, coleslaw

5.0 Farmer's Markets

Market stalls with fresh produce such as fruit and vegetables are exempt from *Food Act 2008* Registration, subject to the produce being sold whole, and unprocessed (with the exception of leafy vegetables, melons and berries). Food Act Notification is still required, by submitting an [*Application for a Permit to Provide Food at Events*](#).

A *Food Act 2008* Certificate of Registration is also required:

- Where cut or packaged produce (e.g. fruit salad, soup packs), juices or other ready-to-eat items are offered for sale.
- From 12 February 2025, primary producers/processors of leafy vegetables, melons and berries must comply with the new FSANZ standards, and must formally register as a food business with their local government.



See [Section 1.0 Legislative requirements](#), and the Department of Health website for guidance on [Primary production and processing standards for leafy vegetables, melons, and berries](#).

6.0 Food Safety Training

All food businesses are required to ensure that everyone who handles food for sale in their business has skills and knowledge appropriate to their activities:

- The City of Stirling subsidise [online food safety training programs](#) *I'm Alert* and *FoodSafe*.
- Under [Standard 3.2.2A Food Safety Management Tools](#) (Food Standards Code), food businesses classified as Category One or Category Two businesses require implementation of food safety management tools such as food safety supervisor and food handler training.
- Category One businesses must also implement substantiation of critical food safety controls, such as maintaining record keeping for temperature control, food deliveries and cleaning and sanitising. Refer to FSANZ templates: [Appendix 8: Food Safety Record Templates](#).



7.0 Labelling and Allergens

Labelling pre-packaged food helps to protect public health and safety by displaying information such as name and business address of the food business, name of the product, batch numbers, use-by-dates, ingredients, certain allergens, instructions for storage and preparation, and advisory warning statements. Food Standards Code, [Part 1.2 - Labelling and Other Information Requirements](#) outlines further the particular requirements based on food characteristics.

FSANZ website provides guidance for [food businesses on Labelling and allergens](#). Due to the risk allergens pose, a list of ingredients should be available, with allergen advice clearly visible to consumers.

Charity/community groups are exempt from many labelling requirements, however must comply with allergen declaration requirements. The FSANZ website provides [labelling and allergen advice specific to fundraising events](#). Please also refer to [Section 4.0 Charity/Community Fundraising Events](#).



8.0 Food Safety, Design and Fit-Out Requirements



Requirements for fit-out of temporary food premises (market stalls, pop-up kitchens, barbecue stands, licenced areas) and mobile food premises (trucks, vans, trailers) will differ depending on the type and risk level of food being handled.

It is important that you comply with the minimum requirements for the design and fit-out of a mobile or temporary premises. Detailed Food Standards Australia and New Zealand (FSANZ) guidance information on mobile and temporary premises design is available here:

- Safe Food Australia – [Appendix 9: Temporary and mobile food premises](#).
- [Mobile food business website and fact sheet](#).
- [Temporary food premises website and fact sheet](#).

All temporary food vendors must comply with [Section 1.0: Legislative requirements](#); and all food businesses located within the City of Stirling must also comply with [Section 9.0 Registering a temporary food operation under the Food Act 2008](#).

8.1 Design/Operational Considerations

In addition to the resources linked above, the following design/fit-out requirements must be considered:

- Layout must be suitable for the intended activity and provide adequate space for fixtures, fittings, equipment and operations.
- Heating/cooking equipment must be well separated from public access and flammable surfaces.
- Fire safety equipment must be available in all premises undertaking cooking, and all LP Gas (LPG) bottles stored externally. See also [Section 8.2 LP Gas \(LPG\) Safety](#).
- All waste (including oil, food, liquid waste and cartons/boxes/large items) must be managed and removed from the site.
- Any waste produced must not contaminate stormwater drainage, pathways, garden beds or other City property.

Mobile food premises must be equipped with a dedicated externally-mounted wastewater tank with a minimum capacity of 50 litres, i.e. wastewater cannot drain to unsealed containers under the sinks.

Temporary food premises. Stalls must be designed with a roof, three complete walls, and a suitable floor surface, noting that :

- All structures and components of food premises are to be constructed of easily cleanable materials such as plastic sheeting, vinyl or other approved material.
- Flooring must extend beneath any tables or large appliances and be of a smooth, cleanable finish.



Image source: City of Gold Coast

8.2 LP Gas (LPG) Safety

Any temporary food vendors using LP gas or butane cooking appliances require compliance with [The safe use of LP gas at public venues in WA](#) and accompanying [Checklist for gas installations in public venues](#) (developed by Building and Energy, Department of Energy, Mines, Industry Regulation and Safety in accordance with legislative requirements).

LP gas or butane cooking appliances must not be positioned in enclosed spaces (including within 3-sided enclosed marquees, buildings, food vehicles) and not located within 3-4 metres from any potential ignition source such as wood-fired cooking appliances or fire-pits.

8.3 Hand-washing and utensil washing facilities

Handwashing is a crucial food safety requirement. The following minimum requirements must be met, and set-up prior to food handling and trading.

Mobile Food Premises (e.g. trucks, vans, trailers)

Permanent handwashing facilities with:

- Designated handwash basin with mixer tap with potable warm running water (~40°C)
- Liquid hand soap and single-use paper towels (in a dispenser)
- Externally-mounted wastewater collection tank with a minimum capacity of 50 litres, i.e. wastewater cannot drain to unsealed containers under the sink(s).

Temporary food premises (market stalls, pop-up kitchens, barbecue stands, licenced areas) to comply with all requirements in the image below:



Image source: City of Gold Coast

8.4 Temperature Control

To ensure the adequate temperature control limiting the growth of foodborne pathogens, temporary food vendors must:

- Transport all potentially hazardous food (PHF) under temperature control.
- Maintain all PHF above 60°C or below 5°C
- Provide a calibrated thermometer (±1°C accuracy)
- Have readily available onsite food temperature records (see relevant section in [Food Safety Training](#))
- Serve ready to eat food immediately unless using approved hot/cold storage.
- Refrigerate PHF items below 5°C.
- Reheat any approved offsite pre-made food to over 60°C and maintain at 60°C or above.



Image source: City of Gold Coast

8.5 Protection of Food

In order to avoid the risk of contamination of food, all temporary food vendors must:

- Transport food in approved/registered food transport vehicles or containers to prevent contamination.
- Protect food from dust, pest, direct sunlight, rain, human contact and other foreign matter.
- Store food above-ground in sealed, impervious food-grade containers or other suitable covering, and/or protected by sneeze barriers (as appropriate).
- Store and handle raw and cooked food separately.
- Use separate utensils for raw and cooked foods.
- Ensure food handlers wash hands in between the handling of raw and cooked food, and any other source of potential contamination (e.g. handling money, touching hair or face).



Image source: City of Gold Coast

8.6 Cleaning and Sanitising

Temporary food vendors must ensure that all utensils and food contact equipment (e.g. cutting boards, serving utensils) are maintained in a clean and sanitary condition. Vendors are required to provide appropriate washing and sanitising facilities onsite, unless alternative arrangements have been pre-approved by the relevant authority.

Dishwashing facilities must include running water (preferably hot), detergent, food-grade sanitiser, paper towels, and a waste-water bucket. To effectively sanitise utensils and equipment, both hot water and a food-grade chemical sanitiser must be available and used in accordance with recommended procedures.

For further information, refer to the FSANZ [Appendix 9: Temporary and mobile food premises](#) and the [Cleaning and sanitising fact sheet](#), and the summary table below.

Table 3: Summary of minimum cleaning and sanitising requirements

Requirement	Details
Cleaning Standard	Must match that of a permanent premises. Remove visible contamination (food-waste, dirt, grease) using water and detergent
Cleaning Setup	Potable water, dishwashing sink/bucket/equivalent, and detergent
Water Supply	If no mains water, use urns, tanks, or containers with tap valves to provide potable running water
Minimum Water Volume	At least 20 litres per day for small stalls; adjust based on activities and number of food handlers
Sanitising Agents	Must have food-grade sanitiser onsite
Separate Facilities	Equipment washing/sanitising must be separate from handwashing
Large Equipment	Arrange off-site cleaning for large items post-event
High-Risk Equipment	Frequently clean and sanitise tools used with potentially hazardous foods (e.g. every 4 hours). Examples: blenders, slicers, tongs

9.0 Registering a temporary food operation under the Food Act 2008

This section applies to temporary food premises located within the City, or mobile food premises where the vehicle is housed at an address within the City of Stirling; and is additional to the requirements detailed in [Section 2.0 Approval to Trade within the City of Stirling](#).

9.1 Mobile food premises vs Temporary food premises

The City strongly recommends that medium- and high-risk foods be prepared and sold from registered mobile food premises (e.g. trucks, vans, trailers). Temporary food premises (such as market stalls and pop-up kitchens), are generally more suitable for low-risk food and beverages, unless specifically designed and equipped for higher-risk operations. Please refer to [Section 8.0 Food Safety and Fit-Out Requirements](#) for further information.



9.2 Existing food business trading as a temporary food premises

Existing food businesses (e.g. 'bricks and mortar' food premises) with a City of Stirling *Food Act 2008* Certificate of Registration planning to operate temporarily at a location other than their registered address must submit an updated [Food Premises Notification Form](#) along with the relevant supporting documentation and plans. When deemed compliant, the *Food Act 2008* Certificate of Registration will be updated to include approval conditions confirming the business also has an approved temporary food premises set-up (e.g. market stall).

9.3 Home-based food businesses

Home-based food businesses are restricted to the preparation of 'low risk' food, as detailed on the [Department of Health WA website](#); unless a separate, specific area of the dwelling is approved and designed to be fitted out to commercial standards to ensure food is handled safely (i.e. must comply with Standard 3.2.3 Food premises and equipment, of the [Australia New Zealand Food Standards Code](#)). The City's [Guidelines for food preparation in residential premises](#) will be of assistance, in addition to the following sections of the City's website detailing relevant approvals processes:

1. [Starting a business](#) – details planning, building and environmental health requirements, in particular the section '[Select your business type - Home-based businesses](#)'. It is important to firstly confirm whether Planning Approval is required. You may also require a Building Permit for any structural fit out, in addition to the assessment, conditions and approvals required from the Environmental Health team.
2. [Environmental Health approvals](#) – details the legislative requirements to operating a food business within the City (including temporary vendor requirements, food safety training and management tools, and trade waste approvals).

9.4 Food Business Notification (Application and Approval)

Once you are ready to apply, submit your [Food Premises Notification Form](#) and return it to the City along with the relevant supporting documentation. Complete applications will be assessed by an Environmental Health Officer and an onsite inspection will need to be undertaken. When deemed compliant, and the required fees paid, your premises will be registered with the City under the *Food Act 2008*.

10.0 Relevant Legislation and Guidance

1. [City of Stirling Thoroughfares and Public Places Local Law 2009](#)
2. [Food Act 2008 \(WA\)](#)
3. [Food Regulations 2009 \(WA\)](#)
4. [Food Standards Australian New Zealand – Food Standards Code](#)
 - [Mobile Food Business](#)
 - [Temporary Food Premises](#)
 - [Appendix 6: Cleaning and sanitising surfaces and utensils](#)
 - [Appendix 8: Food Safety Record Templates](#)
 - [Appendix 9: Temporary and mobile food premises](#)
5. [Department of Health \(WA\) – Environmental Health Directorate](#)
 - [Fundraisers, charities and volunteers](#)
 - [WA Food Regulation: Temporary and Mobile Food Businesses](#)
6. [Building and Energy \(WA\): The safe use of LP gas at public venues in WA](#)

***For further information, please contact the Environmental Health team via email:
environmentalhealth@stirling.wa.gov.au or call (08) 9205 8555.***

Last reviewed: August 2025