

# TEMPORARY FOOD STALL APPLICATION

- Use this form to apply to obtain permission to operate a temporary food stall at any market/event/street stall within the Kiama Council Municipality.

(OFFICE USE ONLY: Rec code 388)

## PART 1 - APPLICANT DETAILS

|                            |  |
|----------------------------|--|
| Name:                      |  |
| Trading name of stall:     |  |
| ABN & ACN (if applicable): |  |
| Residential address:       |  |
| Postal address:            |  |
| Mobile:                    |  |
| Email:                     |  |

## PART 2 - HOME BUSINESS DETAILS

|   | Yes | No |
|---|-----|----|
| <b>2.1</b> Is the residential address (stated in Part 1) for a home-based business?<br>i.e. You manufacture food products at home |     |    |

If you answered 'Yes' proceed to question 2.2

If you answered "No" proceed to Part 3

|  | N/A | Yes | No |
|--|-----|-----|----|
| <b>2.2</b> Do you have local Council Development Consent to manufacture and prepare food products for sale at this address |     |     |    |

If you answered 'Yes' provide a copy of your Development Consent and proceed to question 2.3

If you answered "No" **Council will not proceed with the application any further.**

|  |  |
|--|--|
| <b>2.3</b> Home based businesses that sell food for wholesale must notify the Food Authority at <a href="http://www.foodnotify.nsw.gov.au">www.foodnotify.nsw.gov.au</a><br>You must provide your Food Authority Notification number |  |
|--|--|

### PART 3 - COMMERCIAL KITCHEN DETAILS (where applicable)

Please include letter of approval to use the commercial kitchen from the owner/operator or the owner / operator's signature under the name of owner/ operator.

|                                |  |
|--------------------------------|--|
| Address of commercial kitchen: |  |
| Name of owner:/operator        |  |
| Phone:                         |  |
| Email:                         |  |

### PART 4 - NSW FOOD AUTHORITY REQUIREMENTS

Temporary food stalls are required to appoint at least one trained Food Safety Supervisor. For information on whether this applies to you and how you obtain a Food Safety Supervisor Certificate go to [www.foodauthority.nsw.gov.au](http://www.foodauthority.nsw.gov.au).

The Food Safety Supervisor requirement applies if your business is processing and selling food by retail (at a temporary event) that is:

- ready-to-eat, and
- potentially hazardous (ie. requires temperature control), and
- unpackaged (ie. NOT sold and served in the supplier's original package).

This includes businesses which manufacture the food products at their home premises. One Food Safety Supervisor must be appointed for each applicable premise (ie. the tent or stall structure) and not multiple premises. A copy of your Food Safety Certificate must be kept at the premises at all times.



**ATTACH A COPY OF THE CERTIFICATE RECEIVED FROM THE NSW FOOD AUTHORITY.**

Your application may be rejected if a Certificate is not supplied.

|            |  |                                   |  |
|------------|--|-----------------------------------|--|
| Full name: |  | Certificate no.<br>& Expiry date: |  |
|------------|--|-----------------------------------|--|

### PART 5 - DETAILS OF FOOD BEING SOLD AND MANUFACTURED/PROCESSED

Complete list of **all** food types being sold:

**Pre-packaged foods require scanned or photographed copies of labels for the products listed above.**

**PART 6 - DETAILS OF EQUIPMENT AND PROCESSES USED WHEN TRADING AND HANDLING FOOD  
(where applicable)**

|   |   |
|---|---|
| Type of stall:<br><br>(Please provide photographs and a floor plan of the stall)          | e.g. marquee, tent, caravan<br><br>Stall structure must be in accordance with the NSW Food Authority guidelines for food businesses at temporary events (June 2016):<br><a href="http://www.foodauthority.nsw.gov.au/Documents/retail/temp_events_guideline.pdf">www.foodauthority.nsw.gov.au/ Documents/retail/temp_events_guideline.pdf</a> |
| List of all fixtures and equipment used at the stall:<br><br>(Please provide photographs) | <br><br>Food preparation surfaces (e.g. counters, shelves, stands) must be made from rigid, smooth, impervious and durable material, free of cracks or joints. Shelves should be at least 150 mm off the floor. Metal end sections should be sealed.  |
| Hand washing facilities:<br><br>(Please provide photographs)                              | Warm potable water (i.e. safe for human consumption) in a minimum 25 litre sealed container with a tap, with suitable bowls or containers, liquid soap and paper hand towels must be provided for all stalls that sell unpackaged foods.  |
| Washing and sanitising food preparation utensils:<br><br>(Please provide photographs)     | Stalls manufacturing food products on-site require potable water, double sinks and sanitising chemicals for utensil washing which does not include and is separate from the hand washing facilities.  |
| Food heating / cooling and transportation devices:<br><br>(Please provide photographs)    | (e.g. BBQ, warmer, hot plate, ice bricks and esky, refrigerator, cool room, etc)  |
| Counter food protection / sneeze guards:  | (e.g. Perspex sneeze guard, glass cake covers, etc)   |
| Approved temperature monitoring device:<br>(Please provide photographs)                   | (e.g. Digital probe thermometer)  |
| Fire-fighting equipment:  | (e.g. dry chemical fire extinguisher and fire blanket)  |
| Taste testing equipment:  | (e.g. Perspex covers, tongs, toothpicks, disposable cutlery, etc)   |

|  |  |
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### PART 7 - WHAT IS MY RISK RATING?

Potentially Hazardous Foods (PHFs) are foods that pose an increased risk of food poisoning if handled incorrectly. PHFs are foods that must be kept at certain temperatures to minimise the growth of any pathogenic micro-organisms that might be present in the food or to prevent the formation of toxins in the food. PHFs include:

1. Raw or cooked meat
2. Small goods
3. Dairy products
4. Seafood
5. Cooked pasta and rice
6. Processed fruit and vegetables without heat treatment prior to consumption (eg fruit salad and cut melons)
7. Raw eggs or cooked eggs where the main ingredient is eggs eg quiche
8. Foods containing undeclared allergens: eggs, nuts, protein-rich foods, fresh pasta, soy bean products and any food requiring refrigeration
9. Foods containing any of the above foods eg sandwiches, rolls, cooked pizza, uncooked pizza

|   |  |    |
|---|--|----|
| Do I sell potentially hazardous foods? (Please circle.) | Yes                                      | No |
|   | I am classified <b>high risk</b> rating. |    |

### PART 8 - DO I PAY A FEE?

|   | Yes | No |
|---|-----|----|
| <b>8.1</b> Are you a charitable organisation, not-for-profit organisation or do your profits go to charity? |     |    |

If you answered 'Yes' you will not be charged a fee. Go to Part 9

If you answered 'No' you may be charged a fee. Go to question 8.2

|  | Yes | No |
|--|-----|----|
| <b>8.2</b> Do you have an existing food premises/business within the Kiama Municipality (ie you are on the Council food premises database) and currently pay administration and inspection fees for that business? |     |    |

If you answered 'Yes' you will not be charged a fee. Go to Part 10

If you answered 'No' you may be charged a fee. Go to question 8.3 & 8.4

|  | Yes | No |
|--|-----|----|
| <b>8.3</b> Is this statement correct: The food I sell is pre-packaged. |     |    |
| <b>8.4</b> Is this statement correct: I am classified Low Risk rating. |     |    |

### PART 9 - I HAVE TO PAY A FEE, HOW MUCH DO I PAY?

|   |                 |
|---|-----------------|
| Step 1:   |                 |
| If your stall is deemed <b>high risk</b> , a <b>non-refundable</b> processing fee is payable when submitting this application form          | <b>\$104.00</b> |
| If your stall is deemed <b>low or medium risk</b> , a <b>non-refundable</b> processing fee is payable when submitting this application form | <b>\$73.00</b>  |

Payment can be made by cheque, EFTPOS or credit card. Cheques should be payable to “Kiama Municipal Council”. If you wish to pay via credit card a Customer Service Officer will be in contact with you to take your payment details, alternatively you can come in and pay at the Cashier in the Council building.

Step 2:

If your application is approved Council’s Environmental Health Officer will contact you to discuss appropriate payment arrangements. This fee will be dependent on your risk rating and the length of permit as per the schedule below.

| Timeframe   | CATEGORY                 |                        | Select Permit Length     |
|---|--------------------------|------------------------|--------------------------|
|   | Medium Risk Approval Fee | High Risk Approval Fee |                          |
| One-off event   | \$57.00                  | \$98.00                | <input type="checkbox"/> |
| 6 months  | \$97.00                  | \$165.00               | <input type="checkbox"/> |
| 12 months   | \$134.00                 | \$241.00               | <input type="checkbox"/> |
| 24 months   | \$225.00                 | \$386.00               | <input type="checkbox"/> |
| Very Low Risk Approval (pre-packaged, labelled, non-PHF manufactured in an approved premises) Application & Processing Fee for 12 months – no fee |                          |                        | <input type="checkbox"/> |

**Renewals:** The non-refundable application processing fee is applicable for all new applicants. For renewing applicants, the non-refundable application processing fee is waived subject to the following criteria being met:

- The stall holder has been approved by Kiama Municipal Council in the last 12 months and;
- The Kiama Municipal Council Temporary Food Stall Application is submitted in full with photographs and documents as required, to Council within 12 days of the expiry date and;
- There are no significant changes in the type of food production, or location of the manufacturing of food, or change in risk (low to high) and;
- There are no outstanding non-compliances with relevant Food Safety Standards noted in a Kiama Municipal Council inspection report. **NOTE:** Evidence of compliance eg photographs can be submitted with the Temporary Food Stall Application form and will be considered as the above criteria being met.

### PART 10 – EVENT DETAILS

What is the date of the next event that you would like to trade at?

Please include the name of the event ie Seaside Markets or NYE event etc

### PART 11 - PROVIDING INSURANCE DETAILS TO MARKET/EVENT MANAGER

You must provide proof of your insurance cover to your market manager in the form of a “Certificate of Currency”. The following information is required on that Certificate:

1. Name of the Insurance Company
2. Policy number
3. Name of the group, business or individual the insurance covers
4. Where the activity will be covered eg “Anywhere within Australia”

**A COPY OF YOUR CERTIFICATE OF CURRENCY MUST BE PROVIDED TO THE MARKET/EVENT MANAGER (NOT TO COUNCIL).**

- 5. Period of insurance cover eg 1 January to 31 December 2022
- 6. Both product and public liability insurance is required
- 7. Amount of cover – minimum of \$20 million required
- 8. Signature of company/broker representative

|  |  |
|--|--|
| Insurance Certificate of Currency expiry date: |  |
|--|--|

### PART 12 - LODGEMENT DETAILS

You can lodge the completed application by mail, email, fax or in person at Council’s Administration Building. Address details are on the front page of this form.

- Documents required to be submitted with this application:
- Copy of Food Safety Supervisor Certificate (if applicable, refer Part 4)
  - Copy of Council approval (for home businesses only, refer Part 2)
  - Photographs or copies of all labels for pre-packaged food as required at Part 6
  - Photographs of your stall and equipment as required at Part 6
  - Floor plan of your stall as required at Part 6
  - If using a commercial kitchen to produce food, ensure the owner/occupier has signed the appropriate section under Part 3, or provide Council with a letter detailing that the owner/occupier gives consent for you to use the kitchen

**What now?** You will be entered on Council’s Food Premises Database and receive a quarterly newsletter, NSW Food Authority information, legislation updates and notice of recalls. Your stall will be inspected at least annually. You will receive a temporary food stall permit in the mail and a copy will be emailed to you using the email address provided in Part 1.

### PART 13 - APPLICANT DECLARATION

I declare that the information provided in this application is true and correct at the time of signing.

I understand It is the stall holder’s responsibility to meet all of the Food Standards and Regulations applicable to the temporary food stall. This includes:

- notifying the local council of their business and food activity including changes in details
- appointing a Food Safety Supervisor where applicable
- meeting the requirements of the [Food Standards Code](#)
  - [Standard 3.2.2 - Food Safety Practices and General Requirements](#)
  - [Standard 3.2.3 - Food Premises and Equipment](#)
  - [Part 1.2 - Labelling and other information requirements](#)

NSW Food Authority guideline for food businesses at temporary events.  
[http://www.foodauthority.nsw.gov.au/Documents/retail/temp\\_events\\_guideline.pdf](http://www.foodauthority.nsw.gov.au/Documents/retail/temp_events_guideline.pdf)

|                      |       |
|----------------------|-------|
| Applicant signature: | Date: |
|----------------------|-------|

Do you agree to Council releasing your name, email address and contact phone number to the coordinators/managers of any prospective event? **Yes**      **No**

and corresponding with you about your application. KMC is the agency that holds the information and access is restricted to KMC Officers. The supply of information is required by the NSW Food Act 2003, if not provided we may not be able to process your application. Your personal information may be disclosed to the Food Authority, or to any person engaged in the administration of the Food Act 2003, for the purpose of enabling the Food Authority to exercise its functions under the Act. You have a right to apply for access to or for correction of your personal information. For further information, please see KMC's Privacy Management Plan available on Council's website or contact us on 02 4232 0444 or email [council@kiama.nsw.gov.au](mailto:council@kiama.nsw.gov.au)