

Residential Premises - Information Sheet

Information about the requirements and minimum standards for any business based at a residential home which provides food to the public within the City of Busselton.

Legislation

- *Food Act 2008*
- *Food Regulations 2009*
- *Australian New Zealand Food Standards Code*

Copies of the legislation can be downloaded from the State Law Publisher Website www.slp.wa.gov.au and at the FSANZ website www.foodstandards.gov.au.

Food business operators are responsible for ensuring all food prepared for sale is safe, suitable and complies with the requirements of the legislation. Chapter 3 of the Food Standards Code (the Code) outlines the structural and hygiene requirements for food businesses. Allowance is made within the Code on some requirements for residential food premises.

Fees

New application

Application is made by completing a *Food Act 2008 Notification Registration Form*. Food safety risk is assigned and this will determine the inspection frequency and annual fee. Payment for the application and service fee (based on risk classification) is sent by invoice, with the service fee pro rata based on time of application. Current fees are stated on the *Food Act 2008 Notification Registration Form*.

Ongoing fees and charges

Invoices are issued at the start of every financial year which cover:

- Food and water testing and product analysis
- Inspections
- Guidance on food labelling requirements
- Advice on food recall plans for manufacturer/processors
- Advice on premises upgrades, relocating to different premises
- Advice on food handling and food safety practices
- Access to free online food handler training program FoodSafe Online

Planning Requirements

If your food business fits into the definition of Home Occupation under the District Town Planning Scheme 20, planning approval is not required.

"Home Occupation" means a business or activity carried out within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that –

- a) entails the conduct of a business, office, a workshop only, and does not entail the retail sale or display of goods of any nature;
- b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;

- c) does not detract from the residential appearance of the dwelling house or domestic outbuilding;
- d) does not entail employment of any person not a member of the occupier's household;
- e) does not occupy an area greater than 20m²;
- f) does not display a sign exceeding 0.2m² in area;
- g) in the opinion of the Council, is compatible with the principal uses to which land in the zone in which it is located may be put;
- h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity;
- i) does not entail the presence, parking and garaging of a vehicle of more than 2 tonnes tare weight.

If the proposed business does not fit this definition, development application may be needed. Please contact the City's Planning Customer Service Officer on 9781 1731 for further information.

Health Requirements

Making application

Before commencing a food business an *Application* is required with:

- A floor plan of the kitchen detailing existing fittings, fixtures and finishes
- A copy of food packaging labels (we have a labelling guideline to help you)
- A list of every room involved in the storage, handling or processing of food
- The estimated number of people engaged in the food business
- Details on the type of food products that will be prepared including:
 - Ingredients used (including quantities)
 - Manufacturing processes
- Information on:
 - Food storage
 - Food transportation
 - Cleaning procedures;
 - Estimated product shelf life

Approval of application

An Environmental Health Officer will assess the design and construction of the food premises against the proposed activities. To do this, they will take into consideration:

- the fit-out and construction of the premises
- foods being prepared
- risk posed by the preparing of these foods

The standard of the kitchen must reflect the risk category of the food being prepared. Requirements may vary between the different risk categories e.g. a food business involved in only low risk activities (see below for examples) would not require fit-out to a commercial standard.

High risk activities include the production of:	Medium risk activities include the production of:	Low risk activities includes the production of:
<ul style="list-style-type: none"> ▪ dairy products i.e. cheese, yoghurt, ice cream, custard ▪ high risk protein based food i.e. fish, meat, chicken, seafood ▪ food that would require temperature control (cakes with high moisture content or with cheese icing, sorbet, sushi, sandwiches, pastries, mustard, pesto, soups, savoury meals and desserts) ▪ food products where ingredients are not heat treated 	<ul style="list-style-type: none"> ▪ Homemade chocolates ▪ Seeds and spice mixes ▪ Fruit leather/ dry fruit slices ▪ Olive oil or any other oil ▪ Infused oils with fresh herbs, spices or vegetables 	<ul style="list-style-type: none"> ▪ Jams, marmalades ▪ Flour based products such as: biscuits, shortbread, scones, buns, muffins and cakes which do not contain potentially hazardous foods such as cream ▪ Nougats, fudges, meringues, Turkish delights ▪ Pickled onions ▪ Herb vinegars with a pH of less than 4.5 ▪ Chutneys, relishes and sauces that are heat treated by boiling or cooking ▪ Food activities such as cake decorating, repacking of bulk packaged low risk confectionery products

This table is a guide only, when considering the risk associated with a food business other factors are taken into account.

Final assessment

An Environmental Health Officer will inspect before registration and operation:

- Adequate supply of hot and cold water (if non-scheme water, a sample will be taken)
- Adequate sinks
- Hand wash basin easily accessible from the food preparation area
- Disposable paper towels and soap at hand wash basin
- Adequate refrigeration capacity
- Refrigerated foods are kept at less than 5°C. The food business operator must show how they are monitoring the temperature of foods by using a thermometer
- Food grade detergents and sanitisers
- Adequate dry storage protected from vermin and pests.
- Food kept in sealed labelled containers, use-by dates and batch numbers are to be retained
- Floors, walls and ceilings are free from damage and are clean
- Equipment and appliances are maintained in good working order and clean
- All fittings and fixtures are clean
- Food preparation areas are protected from the entry of pests
- Adequate garbage disposal facilities are provided
- Requirements have been met for the safe transport of food

Ongoing conditions of approval

Once the food business has been registered, regular inspections will check compliance with the following conditions:

- Food preparation, handling and storage are carried out in the areas that received approval

- Only the foods that have been assessed as part of the approval and registration process are being prepared. Before adding different foods or changing details, contact Health Services for approval
- Fixtures and fittings are in good order and repair, maintained and in a clean and hygienic condition

Food handling and hygiene requirements

Food handlers must have food safety training before handling food for sale to the public. There are many training programs available. The City of Busselton recommends Foodsafe Training – free on the City of Busselton website.

Good food hygiene practices include:

- Not handling food if unwell or suffering from a contagious illness
- During food handling operation
 - prevent unnecessary contact with ready-to-eat food
 - wear only clean outer clothing;
 - only use waterproof dressings on wounds and cuts
 - don't spit, smoke or use tobacco
- Wash hands regularly and whenever hands are likely to contaminate food
- Temperature control
 - Cook food thoroughly
 - Keep food hot then cool as quickly as possible for storage
 - Keep cold food cold, below 5°C
 - Monitor temperatures with a thermometer
 - Control temperatures during transport
- Keeping animals out of food preparation area