



Information Sheet:

FOOD HANDLED FOR SALE IN RESIDENTIAL KITCHENS

Food businesses operating from residential premises on a profit-making basis are required to comply with the requirements of the Food Act 2008. The definition of a food business includes all activities that involve the handling of food intended for sale (eg food preparation, packaging, storage, processing, serving and supply), or the sale of food.

The Australia New Zealand Food Standards Code (Code) contains the structural and hygiene requirements that food businesses must achieve. The Code provides some exemptions to these requirements for food premises that are used principally as a private dwelling (the Code is available for download at <http://www.foodstandards.gov.au/>). Other than the preparation of food for guests using farm stay or home stay accommodation, the Department of Health WA has advised that only “low risk” foods may be approved for preparation in residential kitchens.

Low risk activities includes the production of:

- jams and marmalades
- flour-based products such as biscuits, shortbread, scones, buns, muffins and cakes which do not contain potentially hazardous foods such as cream or custards
- nougats, fudges, meringues, Turkish delights
- spices and spice mixes including dry curry powders if ingredients are purchased from an approved food business
- 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.

A person wanting to operate a food business from their home kitchen is required to take the following steps:

1. Contact the Shire's Planning Department to (08 9729 0341) to determine whether a home occupation approval is required in accordance with the Shire of Harvey District Planning Scheme No. 1. If so, you will need to lodge an Application for Home Occupation. The following information is required to be provided to the Shire to enable your application to be processed:
 - Completed Application for Development Approval Form and Supplementary Form – Home Occupation. Both forms are available for download from the Shire's website at <http://www.harvey.wa.gov.au/forms-and-fees/> or by contacting the planning department.
 - Detailed floor plan and site plan
 - Payment of the home occupation planning application fee of \$222. Payment can be made by cash or eftpos at either of the Shire's Administration Offices in Harvey or Australind or by credit card over the phone.
 - Details of compliance with Skills and Knowledge requirement
 - Evidence of accurate shelf life calculations – a laboratory certificate of analysis will be required if no reputable evidence is provided
 - Complete list of ingredients and proposed source of these ingredients
 - Methods or recipes including cooking times and temperatures
 - Labelling information for packaged foods
 - Written food recall plan, if applicable
 - Daily or weekly quantities of final products intended to be produced
 - Details of storage, transportation and display of food, if applicable
 - Details of location(s) where food will be sold if different from place where food is being handled/prepared

2. An application for home occupation will be assessed against the requirements of Council Policy 15.4 'Home Occupations' and the Shire of Harvey District Planning Scheme No. 1. All applications will be advertised for public comment (usually 21 days) before being determined. If objections are received during public advertising the application will need to be referred to Council for determination. If approval is granted, you will be required to comply with any conditions of the approval prior to the commencement of trade.
3. One of the conditions of the home occupation approval will be that the Applicant complete a food business Registration Form and pay the registration fee and the food business assessment fees (low risk fee of \$234, includes annual surveillance fee. Higher risk activities will occur a higher fee). The Food Registration Notification Form is available for download from the Shire's website or by contacting Environmental Health at the Shire on 9729 0336.

MINIMUM REQUIREMENTS FOR RESIDENTIAL KITCHENS USED TO HANDLE FOOD FOR SALE

- Premises, equipment, appliances, fittings and fixtures shall be in good condition and constructed of suitable materials that are easily cleanable
- An adequate supply of hot and cold water shall be provided
- Food-grade detergents and sanitisers shall be used on food contact surfaces and equipment to minimise the risk of cross-contamination
- Adequate sinks (preferably double bowl)
- Easy access to a hand wash basin supplied with paper towels and liquid soap
- Adequate refrigeration (below 5°C) and freezing (below -15°C) to be provided and maintained in good repair
- Premises to be fully sealed to exclude vermin and insects. No animals shall enter the food preparation area at any time
- Adequate rubbish storage
- Adequate dry food storage

- All packaging and wrapping materials used shall be new and stored so they are protected from contamination
- Children under 5 years and those persons not employed in the food business shall be excluded from the preparation area during food preparation.