

Application for:

Home Based Kitchen Permit

Food Act 1984



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Information for food businesses

The Food Act 1984 regulates the sale of food for human consumption. If your business sells food you must either register with, or notify, the council in which the premises is located.

The information below explains whether you will need to **register** or **notify** Council.

There are four classes of food premises, class 1, class 2, class 3 and class 4. The classification system means that regulatory requirements are better matched to the level of risk associated with the food handling activities at different types of premises. Class 1 has the highest and class 4 the lowest level of legal requirements. In summary, the classes are:

- Class 1** Hospitals, child care centres and aged care services which serve ready to eat potentially hazardous food to vulnerable groups
- Class 2** Premises that handle potentially hazardous unpackaged food (e.g. meat, dairy etc)
- Class 3** Premises that handle unpackaged low risk food, potentially hazardous prepackaged foods or the warehousing or distribution of packaged foods (e.g. baked goods that do not require temperature control)
- Class 4** Premises that only sell prepackaged low risk food and certain low risk occasional activities eg. a simple sausage sizzle (sausages, bread, sauce and onion only)

Classes 1, 2 and 3 premises must register with council.

Class 4 premises must complete a notification form and forward to Council.

Home Based Food Business

A home based food business is a food business that is operated from a place of residence. All requirements of the Australian Food Standards Code and the Food Act 1984 must be complied with.

Class 2 and class 3 home based businesses be granted registration from Council if they are storing or preparing small volumes of food for sale at local markets and fetes/festivals. Due to the high risk nature and quantity of foods being handled, class 2 or 3 businesses storing or preparing larger volumes of foods may be required to set up an additional kitchen in the home or may be required to lease an alternative kitchen. All applications will be assessed on an individual basis.

To operate a home based business from a domestic kitchen the business must have the following items:

- Must be able to separate the business activities from regular domestic food handling
- Have adequate hand washing facilities in the immediate area of food preparation. This sink must be exclusive to hands washing, it cannot be used for any other purpose when the business is operating
- Have a separate food storage area away from domestic food storage. This includes a space for all dry, cold and frozen foods, equipment and packaging.

Markets and Stalls

All foods sold at markets and fetes/festivals require additional Streatrader registration. Once your registration is granted for your home based business you must also register on Streatrader and lodge a Statement of Trade (SOT) 5 working days prior to each event. To register, please visit: <https://streatrader.health.vic.gov.au>

Temporary & Mobile Food Premises

A state-wide registration and notification scheme for temporary and mobile food premises applies under the Food Act 1984.

Temporary and mobile food operators, private drinking water carters and food vending machine operators must register or notify council, renew their registration, and lodge their statements of trade online through Streatrader.

Temporary food premises are:

- Stalls, tents or marquees from which food is sold or handled for sale, such as at a market or festival
- Halls, or other like buildings, which you don't own or lease, but use occasionally and from which you sell food or handle it for sale

Mobile food premises are vehicles such as vans, trailers or carts from which food is sold.

A food vending machine is a machine used for selling food without any intervention or attention by the seller at the time of the sale.

A water transport vehicle is operated by a private business and involves the delivery of water for sale to the public which is intended for:

- Human consumption, or
- Purposes connected with human consumption (such as preparation of food, making ice for consumption, or preserving unpackaged food)

Your 'principal council' is the council in which your business prepares or stores food that is to be sold at a van, stall, or vending machine, or

- If food is not usually prepared or stored beforehand by your business - the district in which you usually store the equipment for a stall, or garage your food van or water transport vehicle, or

- If neither of the above apply - the district in which your usual business address is located, or
- If you have such a place (i.e. where you store or prepare food, or store equipment, or garage your food van or water transport vehicle, or a business address) but it is NOT in Victoria - the district in which the food van, water transport vehicle, stall or vending machines will first operate in Victoria

The state-wide registration and notification scheme makes it easier for food businesses and community groups as they no longer require multiple registrations to operate in different council districts. Information taken from <https://health.vic.gov.au/foodsafety/bus/mobile>

Streatrader Fees

Food Act Temporary & Mobile Streatrader	Fees 2018/19
Class 2 Mobile Premises	\$410
Class 3 Mobile Premises	\$300
Class 2 Temporary Premises	\$160
Class 3 Temporary Premises	\$115
Class 2 Vending Machine	\$410
Class 3 Vending Machine	\$300

For more information or to apply online for registration, please visit:

<https://streatrader.health.vic.gov.au>

The Plan Approval Process

1. Complete the application form, attach a copy of the food premises floor plan and provide the required information
2. Once Council has received the application, a plan approval invoice will be issued to you. The application form, floor plans and information will not be assessed without the plan approval fee being paid.
3. An Environmental Health Officer (EHO) will assess your plans and write to you explaining any amendments required. If amendments are required the amended plan must be resubmitted. When the plans are satisfactory Council will approve the plans with conditions.
4. Once you have your plans approved you may commence construction of the food premises.
5. A final inspection of the food premises must be conducted before any food can be prepared at the premises. All final inspections must be booked at least one week prior to the proposed opening date.
6. An application to register the food premises will only be offered once the premise is deemed compliant under the Food Act by the Environmental Health Officer.

Registration Fees – Home Based Kitchen

Food Act Home Based Premises	Annual Registration Fees 2018/19	Plan Approval Fees 2018/19	Transfer Fees 2018/19
Home Based Kitchen Class 2	\$345	\$105	NA
Home Based Kitchen Class 3	\$295	\$105	NA

Food Safety Programs (FSP)

Class 2 food premises are required to implement and follow a Food Safety Program.

Standard FSP's are approved by the Department of Health and Human Services and can be accessed at: <https://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-safety-program/food-safety-program-templates/food-safety-program-template-class-2>

Class 3 food premises must maintain minimum records on a regular basis and can be accessed at: <https://www2.health.vic.gov.au/about/publications/policiesandguidelines/Food%20safety%20guide%20for%20food%20businesses%20-%20Class%203>

Food Safety Supervisors (FSS)

Class 1 & 2 food businesses are required to have a qualified Food Safety Supervisor. A Food Safety Supervisor is someone who:

- knows how to recognise, prevent and alleviate food handling hazards at your premises
- has a Statement of Attainment that shows the required food safety competencies from a Registered Training Organisation (RTO)
- has the ability and authority to supervise other people handling food at the premises and ensure that food handling is done safely.

You must submit a copy of your Food Safety Supervisors competency training certificates to Council before registration can be granted.

Class 2 Community Groups

Not for Profit Organisations that operate up to two consecutive days only are exempt from requiring a Food Safety Supervisor.

Label Requirements

If you package food it must be labelled in accordance with Food Standard 1.2.1 - Labelling and Other Information Requirements. Labels should be validated by a National Association of Testing Authorities (NATA) approved laboratory.

Packaged food with an expiry date must have the expiry date validated by a NATA approved analyst. Nutritional claims such as Gluten Free or Dairy Free must be independently verified by a NATA approved analyst.

Food Standards Labelling Guidelines can be found at: <http://www.foodstandards.gov.au/code/userguide/Pages/default.aspx>

A copy of approved certificate is to be provided to Council before registration can be granted.

Certificate of Registration

Once all required items are complete registration will be granted and you will be issued with a certificate of registration. This certificate must be kept at the premises at all times.

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To: Email: health@frankston.vic.gov.au

Environmental Health Unit
Frankston City Council

Please send all applications and correspondence regarding
your application to the above email address

30 Davey Street
Frankston 3199 Phone: (03) 9784 1915

Applicant details

Name:		
Postal Address:		
Phone: Home:	Bus.:	Mob.:
Email:		
Date:	Applicant Signature:	

Business details

Proprietor (sole trader or Pty Ltd):		
Note: A Trust is not a legal entity for the purposes of the Food Act. The proprietor for a Trust is the Trustee/s.		
Proprietor Address:		
ABN No.:	Food Safety Supervisor(Class 1 &2):	
Contact Name:	Business Phone:	
Email:		

Please allow 10 business days for the application to be processed

Premises Details

Trading name of premises:	
Street/Postal Address:	
Suburb:	Post Code:

Food Handling Activities

Will your business be conducting the following activities: (please tick)

- | | | |
|---|------------------------------|-----------------------------|
| Handling, preparing or storage of potentially hazardous foods?
<small>(This includes meat dishes, rice dishes, salads, dumplings and dairy products)</small> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Selling cakes or other dessert dishes that have any custard, cream or swiss meringue? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Selling chutney, pickles, or other fermented foods? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Storing any pre-packaged potentially hazardous foods (frozen products) | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Selling shelf-stable food (this includes cakes, jams)? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Required Documents

Submitted

Attach premises floor plans which are to a scale of 1:100 (or greater) and clearly show the location of all: counters, cupboards, benches and equipment that will be used for the business; sinks, walls, doors and openings, floor wastes, drains and other plumbing fixtures This can be presented through photographs	<input type="checkbox"/>
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Attach a schedule of finishes, including a description or specification for all finishes e.g. wall, floor and ceiling finishes, bench top material, coving details and all light fittings. This can be presented through photographs	<input type="checkbox"/>
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Attach a draft menu or list of foods which are proposed to be sold/prepared / stored at your food premises	<input type="checkbox"/>
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Provide an explanatory paragraph detailing your food handling activities	<input type="checkbox"/>
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Attach a menu or provide a full list of foods stored/prepared/sold at the food business	<input type="checkbox"/>
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Class 2 premises only – provide a copy of Food Safety Supervisor qualifications or date booked into the course	<input type="checkbox"/>
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Privacy Statement

The personal information requested on this form is being collected by Council for the food premises permit application. This information will be used solely by Council for that primary purpose or directly related purposes and will not otherwise be disclosed without your consent or as required or permitted by law. You may apply to Council for access and/or amendment of the information.