

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** Premises that serve ready to eat potentially hazardous food to vulnerable groups
  - Hospitals, child care centres and aged care services
- Class 2** Premises that handle potentially hazardous unpackaged food
  - restaurant, take away, kiosk, school canteen, caterer, manufacturer, coffee and dessert, deli and supermarket
- Class 3** Premises that handle unpackaged low risk food, potentially hazardous pre-packaged foods or the warehousing or distribution of packaged foods
  - Warehouse distributor, school canteen, cake decorating, convenient store, manufacturers, greengrocer and supermarket
- Class 4** Premises that only sell pre-packaged low risk food and certain low risk occasional activities
  - A simple sausage sizzle (sausages, bread, sauce and onion only) and low risk packaged food retailer

**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 3 home based businesses may be granted registration from Council using their domestic kitchen 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

<b>Food Act Temporary &amp; Mobile Streatrader</b>	<b>Fees 2020/21</b>
Class 2 Mobile Premises	\$440
Class 3 Mobile Premises	\$320
Class 2 Temporary Premises	\$180
Class 3 Temporary Premises	\$130
Class 2 Vending Machine	\$400
Class 3 Vending Machine	\$300

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

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

## Permit Requirements

If you are constructing a new or altering an existing food premises, you must first contact Council's

**Business Concierge on 1300 322 322** to receive advice on town planning, building, compliance and safety requirements and to seek business support and advice.

## The Initial Registration Process

1. It is **strongly recommended** that all proposed food businesses submit floor plans of the food business to be assessed for approval. Approval should be granted prior to works commencing, this will assist you to ensure the premises complies with the Food Standards Australia New Zealand - Standard 3.2.3 Food Premises and Equipment. This can be found online at:

<http://www.foodstandards.gov.au/code/Pages/default.aspx>

Failure to submit plans may result in Council refusing registration if it believes the Food Standard 3.2.3 has not been met.

2. Complete and submit the application form (below), attach a copy of the food premise floor plan and provide the requested documents and information, photos may also be helpful for the officer to assess the current condition of the domestic kitchen.
3. An Environmental Health Officer (EHO) will assess your plans and write to you explaining any required amendments or construction conditions. If amendments are required you will need to re-submit your plan. When the plans are satisfactory council will notify you in writing.
4. Once your plans have been approved you can commence construction or structural alterations of the food premises.
5. A final inspection of the food premises must be conducted before any food can be prepared for sale. All final inspections must be booked at least one week prior to the proposed opening date. An application to register will be issued to you at this time and should be paid prior to the final inspection.

## Registration Fees – Home Based Kitchen

<b>Food Act Home Based Premises</b>	<b>Initial Registration Fees 2020/21</b>	<b>Annual Registration Fees 2020/21</b>
Home Based Kitchen Class 3B	\$615	\$315

## 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](mailto: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 Residential Address:

Proprietor Postal Address (if different from above):

ABN No.:

Contact Name:

Business Phone:

Email:

## Premises Details

Trading Name of Premises:

Trading Address of Business:

Street/Postal Address:

### Food Handling Activities

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

Handling, preparing or storage of potentially hazardous foods? Yes  No

(This includes meat dishes, rice dishes, salads, dumplings and dairy products)

Selling cakes or other dessert dishes that have any custard, cream or swiss meringue? Yes  No

Selling chutney, pickles, or other fermented foods? Yes  No

Storing any pre-packaged potentially hazardous foods? (frozen products) Yes  No

Selling shelf-stable food (this includes cakes, jams)? Yes  No

### Required Documents

### Submitted

Attach premises floor plans which are to a scale of 1:100 (or greater) and clearly show the location of all: (This can be presented through photographs)

- Hand wash basin/s
- Equipment wash up area and sinks
- Equipment storage and drying area
- Grease trap (size and location) – if not required written confirmation is required from South East Water
- Cooking equipment
- Staff/customer toilets
- Preparation sink
- Chemical storage
- Rear/outside storage area
- Floor waste
- Exhaust canopies
- All other equipment used

Attach a draft menu or list of foods which are proposed to be sold/prepared/stored at your food premises

Provide an explanatory paragraph detailing your food handling activities

**Templates have been provided on the following page**



**Premises Schedule of Finishes:**

Walls are made of/sealed with \_\_\_\_\_

Floor surface/s are \_\_\_\_\_

Lights installed in food preparation areas are \_\_\_\_\_

Bench top surface is \_\_\_\_\_

Coving size in food preparation area is \_\_\_\_\_

**List of all Ingredients Used at the Premises: (or attach a copy of the draft menu)**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

**Food Handling Activities and Processes:**

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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.

**Please allow 10 business days for the application to be processed**