

Food Business Guidelines:

Design, operation and construction

Contents

1.0	INTRODUCTION	4
2.0	LEGISLATION	4
3.0	DEFINITIONS	4
4.0	RISK CLASSIFICATION AND INSPECTION FREQUENCY	5
5.0	BUSINESS REGISTRATION AND ANNUAL INSPECTION FEE	5
6.0	COUNCIL REQUIREMENTS	6
6.1	Planning Services	6
6.2	Building Services	6
6.3	Environmental Health Services	7
6.4	Approval of Plans	7
6.5	Final Inspection	8
7.0	STATE GOVERNMENT DEPARTMENTS	8
7.1	Department of Racing, Gaming and Liquor (RGL)	8
7.2	Department of Environment and Conservation (DEC)	8
7.3	Western Power and Alinta Gas	
7.3 7.4		9
		9 9
7.4	Water Corporation DESIGN AND CONSTRUCTION	9 9
7.4 8.0	Water Corporation DESIGN AND CONSTRUCTION	9 9 10
7.4 8.0 8.1	Water Corporation DESIGN AND CONSTRUCTION General Requirements	9 10 10
7.4 8.0 8.1 8.2	Water Corporation DESIGN AND CONSTRUCTION General Requirements Water Supply	9 10 10 11
7.4 8.0 8.1 8.2 8.3	Water Corporation DESIGN AND CONSTRUCTION General Requirements Water Supply Sewage and Waste Water Disposal	9 10 10 11 11
7.4 8.0 8.1 8.2 8.3 8.4	Water Corporation	910111111
7.4 8.0 8.1 8.2 8.3 8.4 8.5	Water Corporation	9 10 11 11 11 12

9.2	Walls	. 14
9.3	Ceilings	. 14
10.0 F	IXTURES, FITTINGS AND EQUIPMENT	. 15
10.1	General Requirements	. 15
10.2	Washing Facilities	. 15
10.3	Handwashing Facilities	. 16
10.4	Hot and Cold Food Storage and Display	. 16
10.5	Coolrooms / Freezers	. 17
10.6	Storage Facilities	. 18
11.0 N	/IISCELLANEOUS	. 18
11.1	Temperature measuring	. 18
11.2	Cleaning and Sanitising	. 19
11.3	Toilet Facilities	. 19
11.4	Animals and Pests	. 20
11.5	Food Safety Training	. 21
11.6	Outdoor Eating Areas (Alfresco Dining)	. 21
12.0 F	OOD VEHICLES	. 22
12.1	Food Transport Vehicles	. 22
12.2	Mobile Food Vehicles	. 22
13.0 F	OOD SERVICE TO VULNERABLE PERSONS	. 23
14.0 F	RESIDENTIAL FOOD PREPARATION	. 23
15 CONT	ACT DETAILS	. 24

1.0 INTRODUCTION

This information is provided as a general guide for owners, proprietors, architects and/or builders who intend to design, construct/fit-out and operate a food premises or food vehicle within the Shire of Capel. This guide also details the process for approval and registration of a food business within the Shire of Capel.

Prior to commencement of any work, it is recommended that an on-site meeting be held with an Environmental Health Officer and/or Planning and Building Services Officer to discuss your proposal.

2.0 LEGISLATION

Food businesses are currently governed by the following state-wide legislation:

- Food Act 2008
- Food Regulations 2009
- Australia New Zealand Food Safety Standards (Chapter 3)

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

Australian Standard (AS 4674-2004) *Design, construction and fit-out of food premises* can provide you with good detail and advice on your proposed food business. This document is copyrighted.

3.0 **DEFINITIONS**

- "Food Business" means a business, enterprise or activity (other than a business, enterprise or activity that is primary food production) that involves
 - (a) the handling of food intended for sale; or
 - (b) the sale of food, regardless of whether, subject to section 6, the business, enterprise or activity concerned is of a commercial, charitable or community nature or whether it involves the handling or sale of food on one occasion only.

4.0 RISK CLASSIFICATION AND INSPECTION FREQUENCY

The Shire of Capel uses a risk-based classification system for food businesses which is determined by the type of food prepared and who the food is prepared for (e.g. elderly people and children). Risk classification determines the initial inspection frequency but this may be altered by the outcome of the routine inspections i.e. if the inspection result is good, then the inspection frequency may be reduced. If the inspection result is sub-standard then more frequent inspections of the business may be undertaken.

Food businesses are classed into:

Exempt e.g. newsagencies selling packaged confectionery

Low risk e.g. bars selling beverages

Medium Risk e.g. most cafes and restaurants will fall into this category

High Risk e.g. food catering business

5.0 BUSINESS REGISTRATION AND ANNUAL INSPECTION FEE

Food businesses are charged a one-off registration fee and then an annual inspection fee. The inspection fee is valid from 1 July each year and is normally invoiced in August. The annual fee will not be adjusted if a business commences part way through the year.

After the food business has been approved you will be issued an approval letter together with an invoice for payment of your annual inspection fee. After payment has been received you will be issued your food business registration certificate and inspection fee receipt.

Registration of your food business occurs once and does not expire, please note that failure to pay the inspection fee will result in the registration being withdrawn.

For the current fee schedule please contact Environmental Health Services on 97270222

6.0 COUNCIL REQUIREMENTS

6.1 Planning Services

The property you have chosen may require planning approval and a Development Application may need to be submitted to ascertain suitability with the Local Planning Scheme in relation to zoning, parking and other issues. Also many buildings within the Shire have some historic importance. It is necessary to determine if the property is heritage listed before alterations are made.

Contact Planning Services on 97270222.

6.2 Building Services

You will be required to submit a Building Licence Application for:

- A building to be constructed;
- where coolrooms and exhaust canopies are to be installed in an existing building;
- where alterations may affect the structural integrity of the building; or,
- where there are extensive alterations;
- where there is a change of use a new certificate of classification may be required;
- free standing or signage on buildings;
- an upgrade of fire safety provisions may be required;
- access for the disabled will need to be provided to the premises.

Contact Building Services on 97270222

6.3 Environmental Health Services

Before any new developments, alterations or extensions, approval must be obtained from Environmental Health Services, even where planning approval or a building licence is not required.

Your shop-fitter, draftsperson or architect should be able to assist you with plans. The following must be submitted:

- a) Food Business Notification form;
- b) Two sets of drawings showing:
 - (i) scale 1:50
 - (ii) all dimensions
 - (iii) floor plan
 - (iv) sectional elevations through walls etc.
 - (v) hydraulic plans of fresh water and waste water services
 - (vi) mechanical exhaust ventilation plan
 - (vii)finishes of every wall, floor and ceiling
 - (viii)the position and type of every fixture, fitting and equipment
 - (ix) toilet facilities
 - (x) grease traps
 - (xi) the estimated number of patrons.

NOTE: Submitted plans must be of a high quality that clearly shows all of the above details. This will help the Shire's Environmental Health Services assess the plans and approve the premises quicker which beneficial for both you and the Shire.

The following diagram is an example of the standard required:

Contact Environmental Health Services on 97270222 for further information.

6.4 Approval of Plans

After the plans have been approved, one copy will be given back to you with "Environmental Health Conditions of Approval" attached. You can then commence the construction of the food premises but the conditions of approval must be complied with.

6.5 Final Inspection

Once construction is complete, you will need to contact Health Services to arrange for an Environmental Health Officer to undertake a final inspection for compliance with the approved plans and Conditions of Approval.

7.0 STATE GOVERNMENT DEPARTMENTS

7.1 Department of Racing, Gaming and Liquor (RGL)

Any premises selling alcohol must obtain a liquor license. Applications can be obtained from RGL and will usually require a Section 39 certificate to be issued from Environmental Health Services. This involves an inspection of the premises to ensure compliance with relevant health legislation. There is a fee associated with this. Occasionally a Section 40 Certificate will need to be issued by Planning Services.

Phone: 9425 1888 Email: rgl@rgl.wa.gov.au Website: www.rgl.wa.gov.au

Please contact Environmental Health Services for a Section 39 application and Planning Services for a Section 40 application.

7.2 Department of Environment and Conservation (DEC)

The DEC deals with pollution such as noise, waste, water and air. Problems may arise due to noisy refrigeration motors and exhaust hood outlets. Consider neighbouring property when installing such equipment. Sound levels created by the business must not exceed those in the Environmental Protection (Noise) Regulations 1997.

All food businesses are required to comply with the Environmental Protection (Unauthorised Discharges) Regulations 2004 which requires that no discharge occurs to the environment. Measures such as having adequate drainage, refuse storage and waste fat and oil storage and collection assist in preventing environmental discharge. Environmental Health Officers may issue infringements if a food business is found discharging chemicals, fats, oils etc. into the environment (e.g. stormwater drain).

Phone: 6467 5000 Website: www.dec.wa.gov.au

7.3 Western Power and Alinta Gas

All electrical and gas fittings should be approved by Western Power and Alinta Gas and installed in accordance with the relevant regulations.

Western Power – Phone: 9326 4911 Website: www.wpcorp.com.au
Alinta Gas – Phone: 13 13 59 Website: www.alintacustomer.com.au

7.4 Water Corporation

Plumbing is to be carried out by a licensed plumber in accordance with the Metropolitan Water Supply, Sewerage and Drainage Board by-laws.

The Industrial Waste Section at the Water Corporation should be consulted for provision of grease traps. Most food premises where food preparation occurs will require a grease trap to be installed.

Phone: 13 13 95 Website: www.watercorporation.com.au

8.0 DESIGN AND CONSTRUCTION

8.1 General Requirements

The food premises must comply with the requirements of Food Safety Standard (FSS) 3.2.3 – Food Premises and Equipment (FSS 3.2.3). The additional following information may be useful when designing your food premises (follow the FSS 3.2.3 headings which match the ones below).

Your food business design must aim to:

- Exclude locations that may allow harbourage to vermin by such measures as eliminating cavities, cracks and crevices.
- Facilitate easy cleaning by measures such as providing open access to all surfaces where grease and dust may accumulate and ensuring that all surfaces are durable, smooth, impervious and washable.
- Allow the flow of food in one direction, from receipt, to storage, to preparation, to packing/serving/dispatch incorporating in the design process provision for safe food handling practices so that the risk of contamination is minimised.

Consider:

- Sufficient dining space, allowing 1m² per person for dining area;
- Potential for future expansion. If in the future you wish to upgrade the type of food preparation, then you may also need to upgrade the property to suit.
- The kitchen incorporating crockery/equipment/chemical/food storage, washing areas, wet and dry preparation areas, refrigeration and cooking areas.
- Separation of raw products and cooked/final products
- Sanitary conveniences for both staff and customers
- Space for changerooms and storage area for personal items

8.2 Water Supply

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 2 Clause 4	The water supply must be: Provided in an adequate quantity;
	 Potable; and Of an appropriate temperature. The water supply for mobile food vehicles must be: Of a minimum 25 litres (used solely for cleaning purposes).

8.3 Sewage and Waste Water Disposal

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 2 Clause 5	 The premises must have a sewage and waste water disposal system which: Effectively disposes of all sewage and wastewater; and Is constructed and located so that there is no likelihood of the sewage and wastewater polluting the water supply or contaminating food.
	Mobile food vehicles: Where there is no connection to mains sewer, temporary holding tanks must be installed at 50 litres capacity.

8.4 Storage of Garbage and Recyclable Matter

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 2 Clause 6	 The premises must have waste facilities that: Adequately contain the quantity and type of waste and recyclable matter; Are enclosed, as to not allow access to pests and animals; and
	Are designed and constructed to be easily and effectively cleaned.

8.5 Ventilation

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3	Ventilation throughout the premises must:
Division 2 Clause 7	Be sufficient and easily and effectively cleaned; and
	 Effectively remove fumes, smoke, steam and vapours, so as not to cause environmental nuisance.
	Mechanical exhaust ventilation system to be designed, constructed and installed in accordance with AS 1668 Part 2 (2002).

8.6 Lighting

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 2 Clause 8	The premises must: Be sufficiently provided with light; and
ciduse o	Light fittings must be easily and effectively cleaned, unable to provide harbourage for pests and constructed to protect food from contamination.

9.0 FLOORS, WALLS AND CEILINGS

9.1 Floors

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Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3	Floors must be:
Division 3 Clause 10	 Constructed appropriately for the activities being carried out within the premises;
	Impervious and easily and effectively cleaned;
	 Laid in a manner so that pooling or ponding of water cannot occur;
	 Unable to provide harbourage for pests;
	 Where floor is subject to heavy washing floor wastes should be provided; and
	 Comply with Disability (Access to Premises – Buildings) Standards 2010

9.2 Walls

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3	Walls must be:
Division 3	Provided to protect food from contamination;
Clause 11	 Constructed appropriately for the activities being carried out within the premises;
	Sealed to prevent entry of dirt, dust, pests and vermin;
	Unable to provide harbourage for pests;
	■ Impervious;
	Easily and effectively cleaned; and
	Flush with no panels

9.3 Ceilings

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 3 Clause 11	 Ceilings must be: Provided to protect food from contamination; Constructed appropriately for the activities being carried out within the premises; Sealed to prevent entry of dirt, dust, pests and vermin; Unable to provide harbourage for pests; Impervious; and Easily and effectively cleaned.

10.0 FIXTURES, FITTINGS AND EQUIPMENT

10.1 General Requirements

Relevant Food Safety Standard	Performance Criteria
SS 3.2.3 Division 4 Clause 12	Fixtures and fittings are to be adequate for the production of safe food and fit for the intended use.
	Fixtures and fittings should be designed and constructed so that:
	There is no likelihood of causing food contamination;
	 The fixtures and fittings and adjacent floors, walls and ceilings are able to be easily and effectively cleaned; and
	They are unable to provide harbourage for pests.
	Food contact surfaces must be:
	Able to be easily and effectively cleaned and sanitised;
	■ Impervious; and
	Made of material that will not contaminate the food.

10.2 Washing Facilities

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 4 Clause 12	Cooking Equipment and eating/drinking utensils must be able to be easily and effectively cleaned and sanitised.

10.3 Handwashing Facilities

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 4 Clause 14	 A food premises must have a designated hand wash basin that is; A permanent fixture; Located in an easily accessible location for all food handlers; Within immediate area where food handlers work; Adjacent to the toilets or toilet cubicles at the food premises (if any); Connected to or provided with a supply of warm running potable water (between 22°C and 48°C); Supplied with warm and cold water through a common spout; Of a size which allows easy and effective hand washing; Supplied with paper towels, soap and a waste container; and Connected to sewer.

10.4 Hot and Cold Food Storage and Display

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 3 Clause 6 & 8	 During storage and display, food must be; Protected from the likelihood of contamination; and Under appropriate temperature control.
	Storage and display areas and containers must be capable of being easily and effectively cleaned.

10.5 Coolrooms / Freezers

Installation of a walk-in coolroom or freezer requires a building licence.

- Floor is to be graded and drained to a floor waste located outside the facility;
- All racks and shelves should be of smooth, non-absorbent, easily cleanable, non-corrosive material;
- Coolroom and freezer condensates should discharge to a drainage system located outside the coolroom/freezer (i.e. tundish);
- A thermometer indicating temperature within +/- 1° C is required;
- Inaccessible cavities should be filled with fibreglass wool and sealed;
- All doors are:
 - fitted with a rubber or similar seal which effectively prevents the escape of cold air or the entry of warm air when the door is closed, and the seal must be kept clean and in good repair
 - be capable of being opened from the inside without a key at all times;
- Should the coolroom be externally accessed it may only be utilised for bulk storage where food is fully enclosed within packaging material;
- Alarm to be provided on out side of coolroom but controlled only from the inside of the coolroom (BCA requirement);
- Internal lighting controlled by a switch located adjacent to the entrance doorway (BCA requirement);
- All coolroom motors and compressors should be located outside the premises if possible;
- An indicator lamp positioned on the outside of the coolroom which is illuminated when the interior light is on in the coolroom; and
- Door to have a minimum width of 600 mm and height of 1.5 m to access the coolroom.

10.6 Storage Facilities

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 4 Clause 15	Adequate storage facilities must be provided for items that are likely to contaminate food, including; • Chemicals;
	 Clothing; and Personal belongings. Storage facilities should be located where there is no likelihood of the above items contaminating food or food contact surfaces

11.0 MISCELLANEOUS

11.1 Temperature measuring

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 6 Clause 22	A food premises must have a temperature measure device that can accurately measure the temperature of potentially hazardous food to +/- 1°C.

11.2 Cleaning and Sanitising

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 5 Clause 20	All equipment and utensils must be kept in a clean and sanitary state.
	Heat and/or chemicals must be applied to equipment and utensils so that the number of micro-organisms on the surface has been reduced to a level that;
	 Does not compromise the safety of the food which it may come in contact with; and
	 Does not permit the transmission of infectious disease.

11.3 Toilet Facilities

Relevant Food Safety Standard	Performance Criteria
FSS 3.2.3 Division 5 Clause 16	An appropriate number of toilets must be available for the use of food handlers.

- Sanitary conveniences are to be provided for both staff and patrons of each gender. Staff and patron facilities may be combined as long as there are enough facilities to cater for both as per the requirements of the Building Code of Australia.
- A disabled facility must be provided in newly constructed premises and may be required when alteration, additions or a change of use are undertaken on an existing property. Contact the Shires Building Services for further information prior to submitting an application.
- Sanitary conveniences must be equipped with both hot and cold water, liquid soap and single-use paper towels or a warm air drier.
- Gender identification signs are required on the toilet doors.
- Patron sanitary conveniences are generally only required when a food premises accommodates more than 20 persons.

Refer to the following table which is extracted from the Building Code of Australia for number of facilities required for staff and patrons of each gender.

STAFF FACILITIES									
Numbers of:	Toilets			Urinals			Hand-wash Basins		
Facilities	1	2	Each extra	1	2	Each extra	1	2	Each extra
Males	20	40	20	25	50	50	30	60	30
Females	15	30	15				30	60	30
PATRON FACILITIES									
Numbers of:	Toilets			Urinals			Hand-wash Basins		
Facilities	1	2	Each extra	1	2	Each extra	1	2	Each extra
Males	100	300	200	50	100	50	20	200	200
Females	25	50	50		•	•	50	150	200

NOTE: Where the number of male patrons exceeds 250, not less than 5 urinals must be provided plus one additional urinal for every additional 100 in excess of 250. Where the number of female patrons exceeds 250, not less than 6 closet fixtures must be provided plus one additional closet fixture for every 100 females in excess of 250.

If less than 10 persons are employed a unisex toilet facility may be provided.

11.4 Animals and Pests

- An assistance animal, such as a guide-dog, is only permitted in dining and drinking areas (this includes outdoor dining areas).
- All openings should be protected as far as is practicable from pests through the use of screens, self-closing doors and other inhibiting mechanisms (e.g. air-curtains, fly-strips or fly zappers – fly-zappers must not be located over food contact surfaces).
- It is highly recommended to obtain the services of a qualified pest controller to carry out quarterly inspections and treatment for pests such as cockroaches and rodents.

11.5 Food Safety Training

- It is a requirement that all food handlers demonstrate their skills and knowledge appropriate to the level of food handling that they are employed to carry out. To achieve this requirement the Shire of Capel highly recommends that all food handlers receive food safety training prior to handling food for sale to the public.
- There are many training programs available but the Shire of Capel offers the "I'm Alert" Food Safety Program free through our website. This is a self-paced online learning tool that food business operators can use to train their staff to minimum compliance with the hygiene standards in the Food Safety Standards.
- For further information about available training options please contact Environmental Health Services.

11.6 Outdoor Eating Areas (Alfresco Dining)

- An Outdoor Eating Area is licensed by the Shire of Capel where the dining area falls onto the Council land.
- An application must be submitted following approval of the Food Business or liquor licensed premise which serves meals e.g. a tavern. Contact Environmental Health Services to obtain

12.0 FOOD VEHICLES

12.1 Food Transport Vehicles

Relevant Food Safety Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 4 Clause 17	 Food Transport Vehicles must be: Designed and constructed to protect food if there is a likelihood of contamination during transport; Designed and constructed to be easily and effectively cleaned and if necessary, sanitised. 	 Smooth impervious surfaces to the storage compartment Food is to be transported in such a way as to prevent contamination (e.g. packaged in food grade storage containers).

12.2 Mobile Food Vehicles

Mobile Food Vehicles are required to comply with the Food Safety Standards. Acceptable solutions to compliance are:

- Food preparation area must be sealed off from the driving area;
- Hand wash basin must be of adequate size, connected to a holding tank of sufficient size to contain all waste water and have a supply of liquid hand soap and single use paper towels at all times;
- Utensil washing sink to be provided in addition to hand wash basin and connected to water holding tank;
- Holding tank must be located beneath the vehicle and all waste water disposed of to sewer;
- Vehicles must be designed and constructed so food is protected from contamination during transport;
- Vehicles must be designed and constructed so they can be easily cleaned;
- Food contact surfaces must be designed and constructed so they can be easily cleaned and sanitised;
- Food vehicles must be kept in a clean condition and parts must be maintained in good working order;
- Provision of adequate storage of food, whether potentially hazardous and perishable or non-potentially hazardous; and
- No animals are permitted to enter the food vehicle at any time.

13.0 FOOD SERVICE TO VULNERABLE PERSONS

Food service to vulnerable persons such as hospital patients, meals-on-wheels clients in nursing homes, respite centres, children under the age of 4 years in child day care and similar services are required under Standards 3.2.1 and 3.3.1 of the Code to have a Food Safety Program that documents how the food business will control the food safety hazards associated with food handling activities of the business.

Food businesses servicing vulnerable persons are required to comply with the Code in the same manner as other food premises in terms of Standard 3.2.2 Food Safety Practices and General Requirements and Standard 3.2.3 Food Premises and Equipment. For example, a larger child day care centre that provides for more than five children is required to comply with all of the Code

Standards mentioned above, except for those where less than six vulnerable persons are serviced they are not required to have a Food Safety Program. Such premises are still required to have appropriate food premises, equipment, safety practices and comply with the general requirements.

14.0 RESIDENTIAL FOOD PREPARATION

Food prepared in a residential property for sale or other reasons defined in the Act such as for charity or fundraising purposes are also considered to be a food business activity and must comply with relevant aspects of the Act, Regulations and Code. Such activities are exempt from having to meet the full requirements such as food handlers not being required to have the skills and knowledge expected of staff in a large commercial food business.

In general low risk food preparation activities may occur in a residential premises kitchen where approved by the Shire and consistent with the Department of Health WA guidelines. These guidelines can be obtained at the following address: (http://www.public.health.wa.gov.au/2/959/2/food prepared in residential premises.pm)

Such activities must by approved by the Shire by completing the food business notification/registration form. Examples of food preparation activities that are permitted in residential premises include:

- Child day care within a residential premises kitchen where less than seven children are cared for and meals are prepared for children in the residential home.
- Charitable or fundraising activities.
- General low risk food preparation such as the making of jams, pickles, cake decorating and similar products.

Please note that a kitchen within a residential property used for the above activities must comply with the Code in respect to Standards 3.2.2 Food Safety Practices and General and 3.2.3 Food Premises and Equipment. While these standards can require suitable high quality finishes and equipment fit-out in commercial premises, a residential kitchen would not be expected to have the same level of fit-out. Further advice from an Environmental Health Officer is required depending on the food risk and activity involved.

Other considerations, such as planning requirements for conducting a business from a residence should also be considered and you consult with the Shire's Planning Services on this matter.

15 CONTACT DETAILS

SHIRE OF CAPEL

Phone: 97270222

Fax 97270223

Email info@capel.wa.gov.au

Website www.capel.wa.gov.au