



Guideline for Preparing Food from Residential Premises Intended for Sale

SCOPE

This Guideline outlines requirements for preparation of food from residential premises that is intended for sale. This includes food sold at markets; food provided at bed and breakfast operations, food prepared for sale from food vehicles, food prepared in food vehicles in residential areas, food prepared for sale at fundraising events any other food prepared or processed on residential premises that is intended for sale.

PLANNING SERVICES REQUIREMENTS

- Preparation of food from a residential property requires the activity to be recorded as a Home Business with the Shire of Capel Planning and Development Services Division. An application for a Home Business should be in the form of a written statement that sets out the full nature of the activity. It is to be noted that a Home Business activity does not have any visible signs to indicate that a business is operated from home and it does not involve customers visiting the property. Where the activity based on its scale or nature require further assessment a Development Approval application for a Home Occupation will be required. The [Application for Development Approval \(Form 1\)](#) and [Town Planning & Building Policy 6.3 – Home Occupations and Home Office](#) can be downloaded from the Shire website.
- Operation of a bed and breakfast accommodation requires Shire Development Approval. The [Application for Development Approval \(Form 1\)](#) and [Town Planning & Building Policy 6.22 – Bed and Breakfast Accommodation](#) can be downloaded from the Shire website.
- With regard to the parking of a food vehicle in the 'Residential' zone it is to be noted that no commercial vehicle in excess of three tonnes tare weight shall be permitted without Development Approval. Other smaller vehicles are to be recorded as a Home Business activity with the Shire of Capel Planning and Development Services Division. No sales are to occur from the property and apart from the parking of the food vehicle there are to be no visible signs of a business operating from the premises.
- For any further queries about any of the items above please contact a Planning Officer on 9727 0222.

HEALTH SERVICES REQUIREMENTS

- All food prepared from residential premises that is intended to be sold must be produced and processed in accordance with the requirements of the Food Act 2008, Food Regulations 2009 and Australia New Zealand Food Standards Code.

In particular, the requirements of Chapter 3 of the [Food Standards Code](#)

- 3.2.2 Food safety practises and general requirements
- 3.2.3 Food premises and equipment

Apply to food preparation in residential premises.

- All food businesses preparing food in residential premises must apply for a "Certificate of Registration" by completing the [Food Registration and Notification Form](#). The once off application fee is \$107 and the ongoing inspection fees are based on risk.
- Food business preparing **low risk foods** including jams, chutney's, other preserves, baked cakes, cake decorating, biscuits and slices (without any cream or raw eggs), fruit and vegetables, are required to comply with the requirements outlined below.
- Food businesses preparing **high risk foods** including foods containing eggs, dairy, meat, fish, e.g. quiche, pies, ready to eat meals, sandwiches, ice cream, curries, soups, juices, catering operations etc. will need to contact Health Services to discuss their proposal and processes. Operators may be required to demonstrate and document how the risks of the food processing will be managed in a domestic setting. The food preparation area may need to be conducted in a separate purpose built kitchen area or a food vehicle on site.

Food Preparation Area and Equipment

- Food preparation, handling and storage shall only be carried out in the areas approved by the Shire of Capel.
- The premises shall be kept in good order and repair and shall be maintained in a clean and hygienic condition at all times. Fixtures, fittings and appliances shall be kept clean and free from dirt and grease.
- Easy access to a hand wash basin shall be maintained during food handling activities. Paper towels and soap must be provided at the hand basin.
- Adequate sinks (preferably double bowl) shall be provided.
- Adequate refrigeration (below 5°C) to be provided and maintained in good order and repair.
- Adequate dry good storage area shall be provided.
- The premises must be fully sealed to control pests, and be free from pests at all times.
- No domestic animals are permitted to have access into the premises during food preparation or processing.
- Children under 5 years and those persons not employed in the food business must be excluded during food preparation.
- Adequate hygienic rubbish disposal facilities shall be provided and maintained at all times.
- A food temperature measuring device e.g. infra-red or probe thermometer must be available for taking the temperature of foods at all times.

- If food is transported in vehicles it must be transported in containers that can be easily cleaned and can be sealed to protect the food. Chilled or hot foods must be transported under temperature control methods, capable of maintaining the food below 5 degrees or above 60 degrees.

Food Safety Skills and Knowledge

- A basic level of food hygiene and food safety skills and knowledge needs to be demonstrated by the food business operator. A free food handler training course can be completed via the Shire of Capel Website [I'm Alert Food Safety Training](#).

Water Supply

- An adequate supply of hot and cold water shall be provided. The water supply is to be of a potable drinking water quality and comply with the Australian Drinking Water Guidelines. If the water supply is from a bore or rainwater tank, a sample of the water will be collected for bacterial analysis.

Labelling of Food

All food provided for sale must have a label that complies with the requirements of the Food Standards Code. For further information please refer to the Shire of Capel [Guideline on Food Labelling](#).

Fundraising activities

- People who are participating in 'one off' fundraising activities may prepare low risk foods from home (see description above) for the one off fundraiser.
- People who wish to prepare low risk food from home on a regular basis or prepare any high risk foods for fundraising must notify Health Services by completing the [Food Registration and Notification Form](#). (Fees may be reduced for fundraising).
- Fundraising means any proceeds from the sale of the food is donated to a 'not for profit' organisation or incorporated body. It does not include raising money for private purposes.

For any queries in relation to any of the above requirements, please contact Health Services on 9727 0222.