

# Food Preparation in Private Dwellings



The *Food Act 1984* (the 'Act') and the *Australian New Zealand Food Standards Code* (the 'Food Standards Code'), all require a food premise to be constructed in such a manner that ensures the safe storage and preparation of food.

When planning a new food premise in a private dwelling, consideration should be given to the following:

## Introduction

The Act requires anyone who sells food to be registered with Council which includes the use of private dwellings for the preparation of food.

This requires you to apply for registration as a food premises under the Act and an inspection of the premises is required prior to the commencement of the operation.

The Food Standards Code requires that the layout of private dwellings minimise opportunities for food contamination. You are required to ensure that the food premises, fixtures, fittings, equipment and transport vehicles are designed and constructed to be cleaned and, where necessary, sanitised. You must ensure that the private dwelling is provided with the necessary services of water, waste disposal, light, ventilation, cleaning and personal hygiene facilities, storage space and access to toilets.

As a guide, the attached specifications outline the standard required to be eligible for registration.

Consultation with Council's Planning Department is recommended to determine whether a planning permit is required. Also refer to the Home Occupation provisions under the Planning Scheme which are available online at [http://planningschemes.dpcd.vic.gov.au/schemes/vpps/52\\_11.pdf](http://planningschemes.dpcd.vic.gov.au/schemes/vpps/52_11.pdf) or contact the Statutory Planning Unit on (03) 5261 0600.

## Private Dwelling Use

Private dwellings may not be considered suitable for the following activities and require planning approval to operate:

- Manufacturing foods which is to be consumed predominantly by "at risk or vulnerable populations" (which are children under 5 years of age or younger, adults aged over 65 years or older, in house patients of hospital, and the immunocompromised)
- Large volume manufacturing

- Noisy or odorous manufacturing
- Full time manufacturing

## General Requirements

- All walls, floors, ceilings, benches and cupboards shall be in good condition and finished with a smooth and impervious material able to be easily cleaned.
- Toilet facilities must be provided.
- Clearly identified, separate storage facilities must be provided for all food ingredients, containers and equipment associated with the business.
- Adequate facilities for the storage and disposal of refuse shall be provided.
- Adequate ventilation shall be provided over all heating and cooking appliances.
- Children and pets are to be excluded from the kitchen during the preparation of food.
- Suitable containers and vehicles must be provided for the transport of food.
- All packaged food must be clearly labelled and comply with Food Standards Code labelling requirements.
- Potable water supply must be provided in the food preparation area.
- The premises must be adequately insect and vermin proofed.
- Sink facilities with an adequate supply of hot and cold water must be provided for the washing of equipment, food preparation and hand washing.

## Food Safety Requirements

Before starting up, all food businesses must contact their Council for information on their registration requirements and charges, their food business class (1, 2, 3 or 4), and whether they are required to have a food safety program.

Councils classify every food premises within their municipal districts according to their food safety risk using the Department of Health & Human Services Food business classification tool.

If you would like to know more about the new classification system, access the Food business classification tool at <http://www.health.vic.gov.au/foodsafety/foodclass/index.htm>

You may use the tool for an indication of which class your food activities will fall within. Please note that this is only an indication – your official food premises classification will be determined by your Council.

Council will consider the following when classifying your food premises:

- Who is the food being served to?
- Is the food packaged or unpackaged?
- Is the food potentially hazardous?
- Is the food for a community-run event?

If you need to register as a food business (most businesses that sell food will), Council will charge a food business registration fee and you will need to renew your registration every year.

You may also need a Food Safety Program (FSP) that is a written plan that shows how your business will ensure that the food you sell is safe for human consumption.

Class 2 food premises must have a FSP. This applies to businesses that provide potentially hazardous food and are required under the Act to keep a copy of their FSP onsite at the premises.

Class 2 food premises must also have a Food Safety Supervisor (FSS). A FSS needs to have the expertise and authority to ensure that all food handling staff have sufficient skills and knowledge to provide safe food; including being able to understand and follow the FSP.

Food businesses whose main activities involve the sale, or preparation for sale, of foods not commonly associated with food poisoning (class 3 and 4) do not need a FSP or FSS. Class 3 businesses will complete basic records of their food safety practices and keep them onsite.

All food businesses – regardless of class – must comply with the Food Standards Code.

## Definitions

*Potentially Hazardous Foods* – Means food that has to be kept at certain temperatures to minimise the growth of any pathogenic micro-organisms that may be present in the food, or to prevent the formation of toxins in the food. For example:

- raw and cooked meat (including poultry and game) or foods containing raw or cooked meat such as casseroles, curries and lasagne;

- smallgoods such as Strasbourg, ham and chicken loaf;
- dairy products, for example, custard and dairy-based desserts such as cheesecakes and custard tarts, but does not include pasteurised milk, ice cream manufactured from pasteurised milk;
- seafood (excluding live seafood) including seafood salad, patties, fish balls, stews containing seafood and fish stock;
- processed fruits and vegetables such as fruit salads, fruit juices;
- cooked rice and pasta;
- foods containing eggs, beans, or other protein-rich foods such as quiche, fresh pasta and soy bean products; and
- foods such as sandwiches, rolls and cooked and uncooked pizza that contain the foods listed above.

*Low Risk Foods* – Low risk foods means food that is unlikely to contain pathogenic micro-organisms and will not normally support their growth due to food characteristics. For example; grains, cereals, carbonated beverages, jams, dried fruits, pasteurised milk, ice cream manufactured from pasteurised or heat treated milk, pasteurised or heat treated soy milk, and cut fruit or vegetables (which are not subject to any further processing).

## Further Information

If you would like further information regarding the preparation of food for sale in your private dwelling, please contact Council's Environmental Health Unit on (03) 5261 0566; or Email: [info@surfcoast.vic.gov.au](mailto:info@surfcoast.vic.gov.au)