

Food Business

Operating a Home-based Food Business

Under the Food Act 1984, a person must register the premise, or home kitchen where food is prepared and stored for sale.

The information below explains how to register or notify Manningham of your food business.

There are four risk classes for a food business that can operate as home kitchens: **Class 2**, **Class 3A**, **Class 3** and **Class 4**. These risks are associated with different food handling activities that occur at different types of food businesses.

A summary of the classifications is listed below. For full definitions, please visit the Department of Health website for [Starting a Food Business](#) and [Food Business Risk Classifications](#).

FOOD RISK CLASSIFICATION SUMMARY	
Class 2	<ul style="list-style-type: none">• Handling or manufacturing potentially hazardous unpackaged food.• Manufacturing low risk food with allergen-free claims.
Class 3A	<ul style="list-style-type: none">• Preparation and or cooking of potentially hazardous food which are served for immediate consumption at accommodation getaway premises.• Food made using a hot-fill process resulting in products such as chutney, relish, salsa, tomato sauce or any other similar food
Class 3	<ul style="list-style-type: none">• Handling unpackaged low risk food• Sale of potentially hazardous pre-packaged foods• Warehousing or distribution of packaged food• Sale of shell eggs• Making of sweet or savoury foods which do not require temperature control for safety, for a minimum period of 24 hours and no potentially hazardous foods added to the product after (e.g., fresh cream, custard).
Class 4	<p>These businesses must notify us by completing a Class 4 Notification form.</p> <ul style="list-style-type: none">• Storing of pre-packaged low risk food such as chocolate bars, dry tea leaves, dry chips

Classes 2, 3A/3 home businesses must register with Council.

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



Interpreter service
9840 9355

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The Pre-Approval (Plans Assessment) Process

We recommend that all proposed home food businesses submit plans for pre-approval before opening to check that you meet requirements of the Food Standards Code.

If plans or photos of your kitchen are not submitted for pre-approval, Council may refuse registration if there is any aspect of the [Food Standards Code 3.2.3](#) that has not been met.

You must also contact the below authorities before sending us your Pre-Approval application to make sure you have obtained permission for your food business.

MANNINGHAM DEPARTMENTS			NUMBER
<input type="checkbox"/>	Statutory Planning	New or change of existing business, for car parking space requirements and structural signage changes, home based businesses, and other related permits	9840 9471
<input type="checkbox"/>	Building Services	Any fit out or proposed structural changes to a building, and for public and staff toilet requirements, and other related permits	9840 9430
<input type="checkbox"/>	Environmental Health	Any fit out or proposed food business, or if the business is operating a septic tank system (unsewered).	9840 9479
<input type="checkbox"/>	City Compliance	A-frame signage, footpath trading, keeping animals (e.g., poultry)	9840 9450
EXTERNAL DEPARTMENTS			
<input type="checkbox"/>	Yarra Valley Water Trade Waste Team	Trade waste agreements including grease traps	9872 1240

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Submitting your Pre-Approval Application

Before submitting your application, please read Structural requirements on pages 8 – 10 of this document.

- **Step 1:** Complete an online application on our website [Manningham Food Business – How to Register](#) by selecting Apply Now.

If you need a hard copy of the application form to apply, please contact our [Environmental Health Team](#).

- **Step 2:** Attach a copy of your proposed floor/kitchen plan or photos of your existing kitchen onto your online application. The below items must be included as part of your floor plan:

Floor Plan Specifications – A scale drawing of 1:100 of your proposed layout or photos of your existing kitchen is needed for us to review your plans.

Your plans/photos must include these items:

SITE PLAN CHECKLIST	
<input type="checkbox"/> Surface finishes of walls, floors, ceilings and work areas e.g., white tiles, food grade washable gloss paint, light colour, stainless steel, floor covings	<input type="checkbox"/> Cooking equipment: stoves, oven fryers etc.
<input type="checkbox"/> Fridges and freezers	<input type="checkbox"/> All food preparation areas and benches
<input type="checkbox"/> Food storage areas	<input type="checkbox"/> Equipment storage
<input type="checkbox"/> Hand wash basins for all food handling areas and toilets. Hands free tap with a single outlet	<input type="checkbox"/> Chemical storage
<input type="checkbox"/> Double bowl sinks	<input type="checkbox"/> Mechanical ventilation system
<input type="checkbox"/> Dishwasher (Rinse cycle of greater than 80°C)	<input type="checkbox"/> Doors
<input type="checkbox"/> Benches and shelving	<input type="checkbox"/> Waste and wastewater disposal facilities If a grease trap is required, visit Yarra Valley Water
<input type="checkbox"/> Mop sink/cleaner's sinks	<input type="checkbox"/> Grease trap locations must not be in food preparations and storage areas
	<input type="checkbox"/> Toilets and vanity units
	<input type="checkbox"/> External storerooms if any

- **Step 3:** Download and complete the [Supporting Documentation Form](#), and [Planning Requirements](#) for a home-based businesses. Then attach both documents with your online application.
- **Step 4:** After you submit your application, our Health Team will send you an invoice. Pay the applicable Plan Approval Fee to Council. Click here to view the [current fees and charges](#).
- **Step 5:** Your Environmental Health Officer (EHO) will assess your plans and contact you if there are any changes you need to make. If changes are needed, your EHO will request for revised plans.
 - The plans review process may take **10 working days** or more depending on how quickly you supply the information to us.

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- **Step 6:** When your plans are satisfactory, Council will approve your plans, and issue you a formal letter including any conditions.

Steps 7 – 9 are only required if there is a fit-out needed for your existing kitchen.

- **Step 7:** Once you have received your formal plan approval letter, you are ready to set up your business and meet any conditions listed in your plan approval letter.
- **Step 8:** If needed, a progress inspection will be organised by your EHO.
- **Step 9:** When you have completed construction/alterations, you will need to contact your EHO to conduct your final inspection.
 - All final inspections must be booked at a minimum, **two days before** your proposed date of opening.
 - A final inspection must be undertaken by your EHO before any food can be brought onto the premises.

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Final Inspection

Before you organise for your EHO to conduct a final inspection, the below items must be completed. Any items not completed, will need another final inspection which may incur further costs.

- Hot water must be turned on and working at all sinks.
- Your hand wash basin must have hot and cold water from a single outlet with hands free tap
- Liquid hand soap and disposable paper towels in dispensers must be located at all hand wash basins throughout the premises.
- All trade tools and construction materials must be removed from food preparation and storage areas.
- All surfaces and equipment must be [cleaned and sanitised](#).
- All refrigerated units must be turned on and keeping temperature at below 5°C.
- All freezer units must be turned on and keeping temperature at -15°C or below.
- All hot storage units must be turned on and keeping temperature at above 60°C.
- An approved [food grade sanitiser](#) must be on site.
- If required, a measuring device or cup to accurately measure your food grade sanitiser including two labelled spray bottles
- A digital probe thermometer that can accurately test temperatures to +/-1°C.
- A first aid kit, including bright coloured band-aids
- Food handling gloves

Fees and Charges

You can visit our Food Business website to view a current list of [fees and charges](#).

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Food Safety Supervisor and Program Requirements

If your home business complies at the final inspection, your EHO will send you an application to register.

All **Class 2** and **3A** businesses will be given 7 days to send us your nominated Food Safety Supervisor qualifications or enrolment information.

Food Safety Supervisors (FSS)

Class 2 and **3A** home businesses must nominate a [Food Safety Supervisor \(FSS\)](#). It is important to choose your FSS carefully. You can nominate the owner, employee or an external person, as long as they can meet the requirements of a food safety supervisor.

Your FSS must be someone who:

- Has knowledge and knows how to recognise, prevent, and minimise food handling risks at your premises
- Has a Statement of Attainment that shows they have the required food safety competencies from a [Registered Training Organisation \(RTO\)](#).
- Has the ability and authority to supervise other people handling food at your premises
- Makes sure that food handling is done safely
- Is available to attend the premise regularly

FSS Training Providers

Training Providers can be accessed through the Australian Government's [My Skills website](#).

Minimum competencies for FSS

You can find further information in the [Department of Health – Food Safety Supervisors website](#).

Food Safety Programs (FSP)

- **Class 2** food premises must keep and follow an FSP. An FSP may be a [Standard Food Safety Program](#) approved by the Department of Health, or a Non-Standard FSP(NFSP) that needs to be approved by a Third-Party food auditor .
- **Class 3A** food premises need an FSS and keep [Minimum Food Safety Records](#)
- **Class 3** food premises do not need a FSS but must keep [Minimum Food Safety Records](#).
- **Class 4** food premises do not need an FSS or FSP.

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The Registration Process

Once your final inspection has been completed, you are ready to register your Food Business.

- **Step 1:** The Application to Register a Food Business form will be issued by our EH Team.
- **Step 2:** Complete your Application to Register a Food Business Form by checking all the details in the letter and making changes if needed.
- **Step 3:** **Class 2** and **3A** food businesses, submit to your EHO a copy of your nominated FSS training certificate. *Refer to page 6 – Food Safety Supervisor and Program Requirements.*
- **Step 4.** Pay the registration fee stated on your invoice. Your fees are determined by your risk classification.
 - Your registration is based on a calendar year and expires yearly on the 31st December. You will receive a Renewal of Registration at the end of each year.

Certificate of Food Registration

Your registration will be granted when the above is completed, your EHO will then issue you with a Certificate of Registration.

Your certificate expires yearly on the 31st December and a Renewal of Registration is sent to you at the end of each year.

You must always keep this certificate at the premises.

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Home-based Kitchen Structural Requirements

All food premises and vehicles must be designed and constructed in accordance with the [Food Standards Code 3.2.3. – Food Premises Equipment](#).

Domestic kitchens must comply with these standards and should keep in mind the cost in fitting out a food business and are only suitable for small scale activities.

Any large-scale food activity will need to be conducted from a commercial kitchen. For example, larger commercial equipment is not suitable in a domestic setting.

Below are some structural aspects to consider before submitting your application:

1. Sink Requirements

The number of sinks needed is determined by the type and amount of food being handled/prepared, the number of staff, and if a dishwasher is available for sanitising equipment.

Double bowl sinks

A double bowl sink for washing and sanitising equipment and utensils. This may not be needed if a single bowl sink (separate to other sinks), and a dishwasher can accommodate your largest equipment.

Food preparation sinks

A separate sink for the sole purpose of food preparation, such as washing/cutting/handling vegetables and other ingredients.

Hand wash sinks

A separate hand-washing sink in areas where food is being handled and prepared. This sink must be easily accessible during food handling and preparation.

Hot and cold water must be provided through a single outlet and must be hands free (single lever, push button or sensor). Temperatures for hand washing should be between 20°C – 40°C.

Exemption

You can apply for an exemption for your hand wash basin. This will be reviewed by our Health Team, and a decision will be made based on the risk to food safety.

If your business expands and additional food handlers are employed, a separate hand wash basin must be installed

You can only apply if you meet the following:

1. You can designate one bowl of a double or triple bowl sink for the sole purpose of washing hands.
2. Only one person is operating the food business.
3. Written process on how you will prevent cross-contamination during food preparation and handling.

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2. Fridge/Freezer requirements

You must provide separate areas in your fridge and freezers specific for your food business. The unit must also be capable of rapidly cooling all potentially hazardous food.

3. Storage requirements

Storage of all items must be located where there is no likelihood of these items contaminating food or food preparation areas. Listed below are items that are to be stored separately to those used in the home:

- Dry ingredients
- Separate utensils for home business
- Separate equipment for home business
- Cleaning chemicals
- Storage areas
- Clothing and personal belongings

4. Surface finishes

The following surfaces must be in a good condition and finished with a smooth, durable and sealed material that is capable of being easily cleaned and do not provide places for pests to hide:

- Walls
- Floors
- Ceilings
- Benches
- Cupboards
- Food preparation areas

5. Ventilation

Adequate ventilation must be provided over all cooking appliances and food heating equipment.

The reason for ventilation is to prevent the build-up of fats, oils, moisture, and food particles on surfaces that can contain harmful microorganisms and toxins.

Natural Ventilation

You may choose to have natural ventilation if there is little or no cooking for your business, but suitability will be determined by your EHO.

6. Animals and pets

All pets must be kept securely outside. Home-businesses will not be approved if there are indoor pets such as cats and dogs.

7. Pest -proofing

Your home business must be pest-proofed to prevent entry for rodents, birds, animals and insects.

This can be achieved by installing fly screens, pest proof door seals, and sealing gaps along walls, doors, or window openings.

8. Waste disposal

You must have adequate waste disposal measures in place. Your bins must be suitable for the volume of garbage and recyclable matter generated by your business. Bins must be emptied or removed regularly to prevent odours and attraction to pests.

General requirements

1. During preparation, packing, and transport – no smoking, pets, children, or other activities are permitted in the food preparation areas.
2. All kitchen surfaces, equipment and utensils must be cleaned and sanitised before each operation
3. All personal belongings must be removed from the kitchen area before each operation

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Other Requirements

Food labelling and food claims

1. Guidelines of food labelling can be found at [Food standards – Food Labelling Guidelines](#).
2. If you package food, it must be labelled in accordance with [Food Standard 1.2.1 – Labelling and Other Information Requirements](#), before any retail sale.
3. Labels must be in English and should be validated by a [National Association of Testing Authorities \(NATA\)](#) approved laboratory and must include a minimum:
 - Name of food
 - Lot and premises identification
 - Name and address of the manufacturer/supplier/importer
 - Ingredients list in descending order and percentage labelling
 - Warning and advisory statements
 - Date marking, best before or use-by dates
 - Nutritional information requirements
 - Country of origin
 - Legibility requirements
4. Packaged food with expiry dates must have the shelf-life validated by a NATA approved analyst.
5. Claims such as Gluten Free or Dairy Free must be independently verified by a NATA approved analyst.
6. The [Nutritional Panel Calculator](#) can assist you in meeting labelling requirements.

Food Recall

Businesses that wholesale (sell their products through retailers) must have a recall protocol. You can access a copy of the protocol on [Food Standards – Food Industry Recall Protocol](#).

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Streatrader - Selling at Markets/Festivals

If you plan to sell your food at market stalls/festival or events, you must also register your food stall/temporary food premises with us on Streatrader. There is a separate temporary food premises [fee](#).

You must submit your Streatrader application to us at least **10 working days** before the event.

1. Visit [Streatrader](#) to apply online.
2. We will review your application on Streatrader and your EHO will contact you.
3. Once you are registered and approved on Streatrader, you will need to send a Statement of Trade (SOT) through Streatrader.
4. SOTs for Manningham must be submitted at least **1 day before** the event

SOTs notify the Council area where you will be operating. Events outside of Manningham will have SOTs approved by the Council where the event is held.

You can find information for running a stall at a festival in Victoria on [Streatrader – Running a Market Stall](#) or [Starting a Mobile Food Business](#).