



FOOD BUSINESS INFORMATION GUIDE

About This Guide

This information guide has been developed to provide information new and existing food businesses comply with the *Food Act 2003* and the Australian New Zealand Food Standards Code.

The Australian New Zealand Food Standards Code, Standard 3.2.3 outlines mandatory requirements for food premises regarding, fixtures, fittings, equipment & food transport vehicles.

Food premises are not permitted to operate or be registered until Standard 3.2.3 is complied with. This includes all fixtures, fittings, equipment and associated transport vehicles constructed in compliance with the Standard.

It should be noted that this document is intended only as a guide to assist in the establishment of a new food business or the alteration/extension of existing food businesses.

Council's Environmental Health Department should be contacted for more specific details. You should liaise closely with the Environmental Health Officer through planning, construction and beyond as this will prove beneficial, and possibly cost saving.

FOOD SAFETY SUPERVISOR

A business is required to appoint a Food Safety Supervisor (FSS) if they handle and sell food that is:

- unpackaged (at some stage while under the business' control)
- potentially hazardous (must be stored under temperature control for safety)
- ready-to-eat (does not need further processing, such as heating or cooling, before being consumed)
- sold direct to the customer (or another business) for immediate consumption.

Businesses that only handle food for (or at) a fundraising event are not required to have an FSS.

The FSS must

- be trained to recognise and manage food safety risks,
- have completed Food Safety Supervisor training with a Registered Training Organisation in the last 5 years,
- have the authority and ability to advise and supervise other food handlers, and
- work on the premises and be involved in the day-to-day food handling operations of the business.

The FSS may be the business owner, manager, food handler or another person who meets the above criteria.

Food Safety Supervisor training

The Food Safety Supervisor (FSS) must complete training every 5 years:

- with a Registered Training Organisation
- in nationally recognised units of competency.

Registered Training Organisation (RTO)

FSS training must be completed with an RTO. An RTO is an organisation accredited through the Australian Skills Quality Authority (such as TAFE colleges, schools and colleges, and private training providers).

A specific FSS certificate is not required. A Statement of Attainment/certificate from an RTO that shows you have completed the required units in the last 5 years is adequate.

BUYING AN EXISTING BUSINESS

Pre Purchase Inspection

If you are thinking about buying a food business, we can provide pre-purchase inspections to check for any issues upon request.

A fee is charged for this service; however, it could save you from having to spend money on alterations later.

To organise a pre-purchase inspection please contact Council's Environmental Health Officers.

Registering A Food Business

You then need to apply to Council's Environmental Health Section for registration as a food business. The application form is available on Council's website or can be emailed to you upon request.

A new registration fee will be applicable for the first time that you make an application.

The Certificate of Registration is required to be renewed annually (prior to the 30 June each year). A fee set by Council is also applicable and is based on the risk classification of your business.

The risk classification also determines the frequency in which Council's Environmental Health Officers undertake inspections.

CONSTRUCTING A NEW FOOD BUSINESS

Council Contact Information

Planning, Building, Plumbing and Environmental Health can be contacted by calling (03) 6254 5050 or emailing mail@southernmidlands.tas.gov.au

Council Approval Process – For New Businesses

The creation of a new food business may be subject to approval from various Council Departments including Planning, Building, Plumbing and Environmental Health.

Planning

Before you start you should contact one of Council's planners to see if you need a planning permit and what information would be required as part of the application. It is also important to chat to a planner about operating hours, and any approvals previously granted on a planning permit.

Building

The Building Section processes applications and issues Building Permits in accordance with the *Building Act 2016*.

All permits require the services of an accredited Building Surveyor to issue a Certificate of Likely Compliance. You will need to engage your own Building Surveyor, this is not a service organised or paid for by Council.

Your Building Surveyor will advise whether you need to engage other accredited building practitioners such as a building designer, architect or engineers.

Plumbing

The Plumbing Section looks at all plumbing and drainage aspects of your proposal or fit-out. You must engage an accredited plumber for all plumbing works, they will determine whether a permit is required and may lodge an application for this work.

If you are installing a grease trap you should contact TasWater as you may need a Trade Waste Permit. For information on Trade Waste Permits contact TasWater on 13 69 92 or visit their website.

*Note – grease traps and waste disposal systems are prohibited from being installed inside kitchens or within direct communication to a food preparation or storage area ie a door or window.

Plans and Drawings

To obtain approval from Council plans and specifications must be submitted detailing proposed fixtures, fittings, finishes and equipment within the premises.

The plans are to be drawn to scale by an accredited building designer or architect and are to include specific details of:

- Finishes of floors, walls, ceilings, benches, shelves and other surfaces;
- Lighting and electrical installations – types, locations;

- Locations and elevation drawings (cross-section details) of all fixtures and fittings including construction materials (elevations are to determine heights and widths of equipment);
- Plumbing design and location (including all sinks/services, floor wastes/bucket traps/cleaner's sink, grease traps and sanitary conveniences);
- Storage of dry goods, chemicals and cleaning equipment along with packaging and personal belongings;
- Refrigeration details such as freezers, chillers, coolrooms,
- Position of all exhaust facilities with details and specifications of hood fabrication and performance;
- Details of refuse facilities (rubbish bins, bin storage area);
- Toilets and change rooms;

Please also outline all manufacturing processes to be undertaken and foods to be prepared in the business. A menu will need to be provided to Council stating all types of food that are proposed as well as how they are processed.

When Can Building Works Start?

Construction works can only commence once all relevant permits have been issued.

Prior to Opening

The Food Act 2003 requires all businesses selling food to be registered with the Council of the municipal area in which the business is located prior to opening.

Before opening your food business, you must ensure you have complied with the following checklist:

- ☒ Planning approval (if applicable);
- ☒ Building and plumbing approval (incorporating environmental health);
- ☒ An Occupancy Report issued by an EHO to the Building Surveyor. Occupancy will not be issued until the EHO has inspected the premises and signed off on the construction;
- ☒ An Occupancy Permit issued by Building Surveyor and copy forwarded to Council's Permit Authority.

You then need to apply to Council's Environmental Health Section for notification and registration as a food business. The application form is available on Council's website or can be emailed through upon request.

Notification of a Food Business

All businesses selling food in the Southern Midlands municipality are required to notify the Council.

Our Environmental Health team uses the details you provide in your notification to

- provide food safety information or assistance
- follow up during food recalls
- determine whether or not you need to register your food business.

Registration of a Food Business

A new registration fee will be applicable for the first time that you make an application.

The Certificate of Registration is required to be renewed annually (prior to the 30 June each year). A fee set by Council is also applicable and is based on the risk classification

of your business.

The risk classification also determines the frequency in which Council's Environmental Health Officers undertake inspections.

GUIDANCE ON STRUCTURAL REQUIREMENTS FOR A FOOD BUSINESS

FLOORING

Flooring in the areas used for food handling, cleaning sanitising & personal hygiene of a food business need to be able to be cleaned effectively, impervious to grease and food particles, not allowing ponding of water and not provide harbourage for pests.

This includes but is not limited to epoxy jointed ceramic and quarry tiles, heat welded vinyl sheeting and epoxy resin for food preparation areas and general use. Refer to Table 3.1 in AS 4674 - 2004 for suitability of flooring finishes for food premises areas.

Floors are to be evenly graded (at least 1:100) to ensure suitable fall. Depending on the use of the premises there may be other gradients that are applicable e.g. - for wet-down areas whereby the BCA should be consulted in this instance.

WALLS & CEILINGS

Walls and ceilings in kitchen areas must be sealed and smooth to prevent dirt, dust and pests getting into the food premises and must be impervious to grease, food particles and water. Walls and ceilings must also be easy to clean, and be of a solid construction to prevent harbourage of vermin in any voids & cavities.

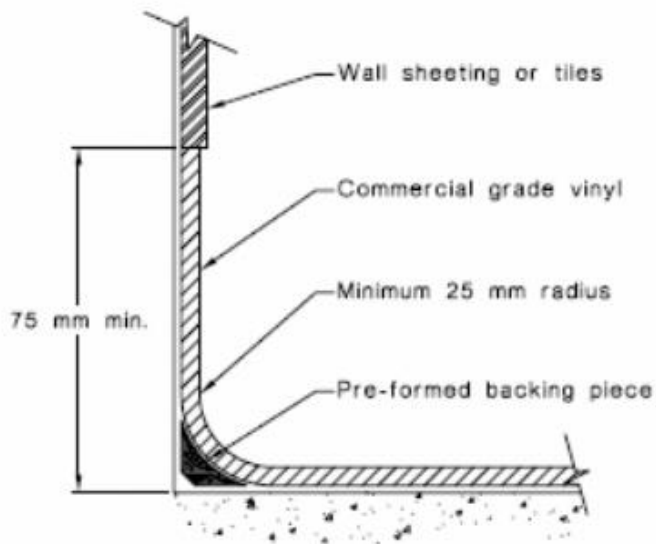
It should be noted that polyvinyl sheeting is not considered suitable in areas exposed to excessive heat or high impact areas.

Further information on walls and ceilings in food premises is available from AS 4674:2004 – Design, construction and fit-out of food premises, Table 3.2 ‘Suitability of Wall Finishes for Food Premises Areas’ and Table 3.3 ‘Suitability of Ceiling Finishes for Food Premises Areas’ respectively.

COVING

Coving is required on all angles where flooring intersects with walls in food preparation areas. Coving is to be installed and sealed to prevent moisture through joints; facilitate cleaning by ensuring accumulations of materials do not occur.

Feather edging is not permitted and coving must be installed as per diagram below.



Further information can be found in AS 4674:2004 – ‘Design, construction and fit-out of food premises’ Section 3.1.5.

SERVICE PIPES CONDUITS, ELECTRICAL WIRING

Service pipes, conduits, and electrical wiring are to be concealed in floors, walls, plinths & ceilings, penetration & openings are to be sealed. Where this is not possible, pipes are to be fixed on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surface; 100mm between the pipe and adjacent horizontal surfaces.

ANIMALS AND PESTS

Pests must be prevented from entering the premises by providing mesh screens, self-closing doors and other inhibiting mechanisms at all openings, doorways and windows. Inhibiting mechanisms can include air-curtains, fly-strips or fly-zappers.

There should not be void areas above cupboards, coolrooms etc and all plinths should be of solid construction.

Pests can be eradicated by contracting a qualified pest control company to treat the premises on a regular basis and by providing baits and traps around the premises (including external areas to the building).

It is important to note that precautionary measures must be taken to ensure that pests will not be a problem in a food business.

WINDOWSILLS

Where windows are present in a food business, the windows sills are to be at a 45° angle towards the floor. This prevents an accumulation of dust and also provides for easier cleaning.

Windowsills should be at least 300mm above benches, sinks and appliances.

LIGHTING

A food business needs to be provided with either natural or artificial lighting. If artificial lighting is used it must comply with AS/NZS 1680.1:2006 and AS/NZS1680.2.4:1997.

All lights should be fitted with light diffusers/covers or shatterproof tubes to facilitate cleaning and to prevent contamination of food and the premises should breakage occur.

VENTILATION

Natural or mechanical ventilation is to be provided in accordance with the Building Code of Australia. Extraction ventilation systems are to be provided to remove cooked fumes, odours, heat & steam in accordance with AS 1668.1 & 1668.2. This is required when cooking equipment exceeds 8kW for electrical appliances or 29 MJ/h for a gas appliance.

An extraction system shall also be provided where there is any dishwasher and other washing/sanitising equipment that vents steam into an area to the extent that there is, or is likely to be, condensation collecting on walls and ceilings.

Council will require certification that the ventilation is in accordance with the relevant Standard(s).

CLEANING/SANITISING OF EQUIPMENT

A food business as a minimum must have a double-bowl sink, and 150mm integral splashback for cleaning food contact equipment. The sink must be large enough to ensure the largest piece of equipment can be washed adequately. Separate sinks should be used for food washing operations and equipment washing.

If a dishwasher is used to wash and sanitise equipment, a single bowl sink will suffice. Please note however, dishwashers used for sanitising are to operate on the sanitising cycle at the manufacturers recommended temperature and time.

For cleaning in sinks the temperature of the water will need to be at least 45°C. For sanitising in the sinks the temperature of the water needs to be at least 80°C or alternatively chemical sanitisers may be used.

HAND WASHING FACILITIES

A separate hand wash basin must be available and easily accessible for food handlers. This must have a permanent supply of warm running water through a common outlet. This should be operated by a flick mixer or similar system. For businesses which undertake extensive food preparation, or there is high potential for contamination of hands, hand wash basins may need to be of hands free operation i.e. foot, knee, arm or sensor operated.

The handwash basin should be a minimum of 11 litres in capacity. Accompanying the basin should be a wall mounted dispenser supply of liquid soap and single use paper towel. A waste receptacle will also need to be provided for the disposal of the paper towel.

The hand wash basin must not be obstructed and be easily accessible at all times. It should be no further than 5m from any place where food handling is occurring, open food areas & utensils & equipment washing areas & also immediately adjacent to toilets.

CLEANER'S SINK

Access to a cleaner's sink is required. This will provide for the disposal of mop water and similar liquid waste. This is to be located in a separate area(s) from where open food is handled. This sink is to be connected to sewer.

FLOOR WASTE GULLY

A floor waste gully may be required depending on the nature of the business.

SHELVING

The surface of all shelving shall be smooth, impervious, non-absorbent, free from cracks and defects, and capable of being cleaned easily. Shelving for food storage should not be at a level lower than 250mm above the floor.

If the underside of the shelving is absorbent, it is recommended that the surface be sealed so that it meets these requirements.

SUPPORTS AND BRACKETS

Sinks, tubs, draining boards, hand wash basins, heaters, urns, benches, shelving and similar fittings shall be supported on approved frames. If hollow pipe is used the ends must be sealed. Timber framing is not permitted.

You may wish to consult Table 4.5 'Supports for Equipment' of AS 4674:2004 – Design, construction and fit-out of food premises.

REFRIGERATED COUNTER, CUPBOARDS, CABINETS AND BARS

Construction material & specific requirements for fixtures, fittings & equipment are shown in AS4674-2004 table 4.3 & 4.4. They shall be designed & constructed of metal, plastic or sealed timber sheeting or other impervious material to ensure ease of cleaning.

EQUIPMENT:

All equipment shall be either moveable for cleaning or built into walls & completely vermin proofed or butted against walls & sealed or installed with clearances as outlined in AS4674-2004.

Equipment shall be supported on wheels or castors, 150mm legs, plinths or solid metal or capped tubular steel brackets or framework.

TOILETS

Toilets for both staff & customers must be provided in accordance with the Building Code of Australia (BCA). Toilets are to be separated from food areas by intervening ventilated space (e.g. airlock) fitted with self-closing doors. Customer/ public toilets are not to be accessed through areas where open food is handled.

STAFF BELONGINGS OR LOCKERS:

Staff room, lockers or separate facilities shall be provided for storage of street clothing and personal effects of employees.

STORAGE OF GARBAGE:

Storage areas for refuse must be able to be cleaned, and pest proofed. External ground storage areas are to be paved, graded, designed to fall to a floor waste drain. A hose tap is to be installed to facilitate cleaning.

Garbage room floors are to be impervious, coved graded & drained. Walls are to be smooth impervious surfaces. Ventilation, pest proofing & a hose tap to be provided.

Garbage and recyclable material is to be contained by the food premises. This means that the waste should be kept in bins, hoppers, wire cages or other containers that are appropriate for the types of waste. The containers must be large enough or in sufficient

numbers to contain all waste produced by the business while awaiting the next waste removal from the premises.

MOBILE FOOD BUSINESS

What is a Mobile Food Business?

A mobile food business is a food business that operates from a mobile structure. The term mobile structure is defined in the Act as: *a vehicle, trailer, cart, tent, stall, booth, pontoon, table, barbeque, pizza oven, or other mobile structure, that is not permanently fixed to the whole, or part, of a building, structure or land, in, at or from which food is, or is intended to be, handled or sold.*

What Guidelines Need to be Followed?

The Tasmanian Department of Health has [Guidelines for Mobile Food Business](#) that cover off on a range of considerations

Is Planning Approval Required?

Before you start you should contact one of Council's planners to see if you need a planning permit and what information would be required as part of the application. You can do this by either coming into Council to talk to the 'duty planner' or through our planning enquiry portal on our website.

Is Building Approval Required?

Generally building approval is not required if the vehicle is registered. If the vehicle is not registered you should check with the Building Section.

Is Environmental Health Approval Required?

Similarly to constructing a new food business, you should contact the Environmental Health Section of Council in the early stages of planning your business.

Environmental Health Officers need to approve the mobile food business for registration as a food business under the *Food Act 2003*.

Where Can I Operate?

Tasmanian food laws allow for a mobile food business to operate throughout the state on a single notification or registration (ie 'statewide').

EHOs in all council areas have the authority to inspect a food business operating in their council area and may issue warnings, notices, or other penalties as appropriate. A mobile food business risk-classified as P3-N or P4 only needs to notify council before commencing operation; it does not need to register with council. Council should provide a 'letter of acknowledgment' stating that you have notified them.

If you intend to operate in more than one council area and have already notified one council, you don't need to notify again. If you have a letter confirming notification, you should carry that with you when operating in other council areas.

If you change your food handling activities or the types of food you sell, you should contact council in case your risk-classification has changed, and you need to register.

Southern Midlands Council has formally identified a number of sites that can be used by mobile food businesses on a first come first served basis. You can review these locations in our Mobile Food Business Policy.

TEMPORARY FOOD BUSINESS

If you are wanting to sell food temporarily for a fundraising event or market stall, you can apply for a short-term food business registration and pay the applicable fee.

Temporary registrations are not designed to be used for frequent events or for an ongoing business.

The registration form can be found on Council's website -

<https://www.southernmidlands.tas.gov.au>

HOME BASED FOOD BUSINESSES

The requirements for a home-based food business will depend on the type and quantity of food that will be prepared.

Each proposal is individually assessed by an Environmental Health Officer. To begin this process, you will need to submit a proposal to find out whether your home kitchen is suitable for the type of food business that you would like to start.

To request an initial assessment of your homebased food business proposal, please complete the attached form and email through to Council for assessment.

BEFORE YOU START

Planning Requirements

A small amount of business activity is allowed in domestic homes. However it is recommended that you contact the Southern Midlands planning section to check whether your business activity will need a planning permit.

Operating a Business from a Rental Property

It is recommended that you check whether your lease allows you to run a business from the property and seek advice about whether you need any insurance. If you are renting, your business activity may breach your lease agreement so you should check with your landlord whether the business activity is permitted.

Trade Waste

If you operate a business at home you may need permission from TasWater to put commercial wastewater into the sewer system. For further information see the TasWater Trade Waste web page: taswater.com.au/Customers/Trade-Waste or call TasWater on **136 992** and ask to speak to a Trade Waste Officer.

Small Business Support in Tasmania

If you need information or advice about starting a small business in Tasmania, there is a web page with resources and information at the following link: business.tas.gov.au/starting-a-business

Activities that are unlikely to be approved for a home based food business include:

- daily production of large quantities of food. For example more than 10-15 meals per day.
- cooking that involves deep frying or large amounts of oil

THE APPROVAL PROCESS FOR A HOME FOOD BUSINESS

STEP 1 – Lodge a proposal

To enquire about whether your food business may be suitable for a home kitchen, please complete the attached form and forward the form and any other relevant details to mail@southernmidlands.tas.gov.au

STEP 2 – Approval of proposal

Your home food business proposal will be assessed by an Environmental Health Officer and you will be informed of the outcome.

If your proposal is not likely to comply with the Food Safety Standards, it may be refused. If this happens, you can arrange to meet with an Environmental Health Officer to discuss why it has not been accepted.

STEP 3 – Application for a Food Licence

The *Food Act 2003* requires all food businesses to lodge a Registration form or Notification form to Council. If your home kitchen is considered suitable for further assessment an Environmental Health Officer will provide you with the correct application form to make a formal application.

STEP 4 - Inspection of premises and assessment of operational requirements

An Environmental Health Officer will contact you to organise an inspection time once the application is received and the application fee has been paid.

During the inspection, the Environmental Health Officer will assess:

- the cleanliness and suitability of any food handling and food storage areas
- whether the proposed food items can be prepared, stored and transported safely
- your food safety and food handling knowledge and skills. A food safety training module is available on the Southern Midlands Council Website.

STEP 5 – Approval of food licence

If the inspection shows that your business activity meets the Food Safety Standards, the Environmental Health Officer will approve your application, and you will receive a food licence or confirmation of your notification.

GENERAL GUIDE FOR HOME FOOD BUSINESS REQUIREMENTS

Home kitchen requirements depend on the type and quantity of food that is being cooked. Some general requirements for a food business operated from a home kitchen are outlined below.

Design and construction requirements for domestic kitchens

For a domestic kitchen to be used as a registered food premises, the construction and maintenance of the kitchen must meet the requirements of the Food Safety Standards.

- There must be enough space (bench space, storage space etc.) to carry out the proposed food handling activities.
- All walls, floors, ceilings, benches and cupboards must be in a good condition and finished with a material that is easy to clean. Unsealed timber or surfaces that can soak up grease or water are not suitable.
- The surfaces in the food handling and food storage areas must be smooth, durable, waterproof and easy to clean (no unsealed timber or highly textured surfaces).
- The number of sinks/dishwashers must be adequate to manage washing/rinsing of equipment and food preparation. Generally, at least a double-bowl sink is required.
- A sink for hand washing must always be available while food is being handled. This sink must not be used for any other purpose until the food preparation is completed.
- The hand washing sink must be supplied with warm water through a single outlet (e.g. flick mixer). Liquid soap and disposable paper towels must be supplied at the hand wash sink.
- A sink for washing and sanitising equipment must be easily accessible from the kitchen area. This sink must be large enough to wash and sanitise the largest items that will be used.
- Adequate ventilation must be provided above cooking appliances and food-heating equipment. This must be sufficient to manage odours and prevent build-up of grease or condensation on the walls/ceiling.
- Ingredients and equipment that will be used for the food business must be well separated from everyday items (For example - separate shelves, separate labelled containers).

- There must be adequate refrigerator and freezer space for ingredients or finished food products that need to be kept cool or frozen.
- Waste bins must be large enough for any extra garbage and recyclable items produced by the business activity.
- Cleaning equipment and chemicals must be stored separately from any food or food handling equipment.
- The areas where food is stored or handled must be pest-proof to prevent the entry of rodents, birds, animals and insects. For example kitchen and storage areas must not allow access for mice or insect pests and any doors or windows that you wish to leave open for ventilation must have screens.
- You must be able to exclude pets and children from the kitchen while you are preparing food for your business.

Operational requirements

- The business operations must not cause any odour, noise or other nuisance to neighbouring properties.
- As a registered food business, you must allow an Environmental Health Officer access to the premises to conduct an inspection when requested.
- Food handling and food storage areas must be always kept clean.
- Pot plants and other items that could contaminate food must not be in food handling areas.
- Food must be stored and transported in food grade containers.
- If hot or cold transport of the food is required, you must be able to keep the temperature below 5 degrees or above 60 degrees.
- A digital probe thermometer must be available to measure the core temperature of food.
- Food handling gloves must be used when handling ready-to-eat food.
- A food grade sanitiser must be used on food handling surfaces
- Containers, equipment and utensils must be either washed in a dishwasher or rinsed with a sanitising solution if they have been hand washed.
- Food that is packaged for sale at another location must be labelled correctly. Further information about how to make labels that comply with the Food Standards Code is available at: **www.health.tas.gov.au**
- A nutrition panel calculator to generate labels can be found the following link:

[Nutrition Panel Calculator | Food Standards Australia New Zealand](#)