

DOMESTIC KITCHEN GUIDELINES

Preparing food for sale from a domestic kitchen

INTRODUCTION

These guidelines provide information about using a domestic kitchen for the preparation of food for sale and how you can meet the legal requirements of the *Food Act 2006* and the *Food Standards Code*. The *Food Standards Code* can be found at www.foodstandards.gov.au.

LICENSING

A person who conducts a food business at home is required to comply with Council's planning requirements for a home based business. Anyone who sells food must ensure that it is safe to eat and that the *Food Standards Code* are applied to both the food business operations and the construction of the domestic kitchen.

The type of food that you are preparing and the final point of sale will determine whether you are required to have a licence for your domestic kitchen and/or your market stall (if you intend to sell at markets). Once a food licence is obtained, the food licence must be displayed in a prominent position so that it is easily visible to persons at the premises.

Townsville City Council will allow the use of a domestic kitchen for food handling in the following situations only:

- » Bed and breakfast (B & B)
- » Farm-stay
- » Manufacturing low risk foods/snack foods for sale at:
 - markets or fetes; or
 - directly from the premises (with the activity restricted by the Townsville City Plan's home based business code).

Examples of low risk foods are:

- cakes without fresh cream or ganache
- snack foods (confectionary, biscuits, nuts, dried fruit)
- jams and pickles.

The food prepared cannot be sold as wholesale.

APPLYING FOR A FOOD LICENCE

When applying for a licence you will need to complete a food licence application form and pay the applicable fee. Plans of the kitchen will also be required as part of the application. The food licence application can take up to 30 days to process. Please ensure that you provide as much detail as possible on your application.

Plans

Plans of the food preparation area are required to be submitted with the food licence application. You must submit a copy of the following types of plans for your premises:

- » floor plan
- » sectional elevations.

Floor plans should be drawn to scale and can be submitted in hard copy or as an electronic version. The plans must be assessed and approved by Council.

You will need to ensure the following details are included on the plans:

- » finishes to floors, walls and ceilings
- » layout of all equipment, benches, fittings and fixtures
- » door and window openings
- » location of toilet and bathroom in relation to the kitchen.

FEES

Fees are applicable for a food business licence and are renewable annually. For current fees and charges please visit Council's website at [Payments, rates and permits/fees and charges](#).

TOWN PLANNING REQUIREMENTS

The Townsville City Plan defines a home-based business as "a dwelling used for a business activity where subordinate to the residential use". Below is a summary of the town planning restrictions for domestic kitchens.

- » Any additional structures need to be able to be used by residents of the primary residence, and the primary use of the property needs to remain residential. An acceptable example would be a guest house or granny flat with a kitchen being used as home-based business space).
- » The number of visitors allowed to come to the premises to buy products is limited to 14 vehicle visits per day.
- » The domestic kitchen must not operate as a retail store from the property, except by appointment, e.g. a customer orders and then comes to pick up the product.
- » Visitor parking must be on-site.
- » There must be no more than one heavy vehicle visit per week.
- » Unless it is a bed and breakfast, the business can only operate between the hours of 8am to 5pm Monday to Friday and 8am to 2pm on Saturday. There must be no operation on Sunday.
- » Noise restrictions apply.

For further information please visit Council's home based business webpage at townsville.qld.gov.au.

OPERATIONAL REQUIREMENTS

Design and construction

Assessment of the structural requirements for your premises will be conducted by an Environmental Health Officer (EHO) who will take into consideration the type of food prepared for sale.

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Floors/Walls/Ceilings

All floor, walls, ceilings and fixtures in the kitchen must be non-absorbent, easily cleaned and free from cracks, crevices and other such defects, particularly those that may permit the entry and harbourage of pests.

Sinks and hand washing facilities

You are required to have a designated hand washing basin provided with warm running water, soap and paper towel.

The kitchen must have a suitable wash up area for all equipment used in the preparation of foods. As a minimum standard, a kitchen must have a single bowl sink and a dishwasher or a double bowl sink. Such equipment must be in the kitchen area.

Thermometer

A food business which handles potentially hazardous foods must have a probe thermometer which is readily available and can accurately measure the temperature of the food to +/- 1°C.

FOOD SAFETY SUPERVISOR

Every food business is required to have a nominated food safety supervisor. This person is responsible for:

- » recognising, preventing and alleviating food safety hazards
- » having skills and knowledge in food safety matters
- » having the authority to supervise and give directions in relation to food safety to other employees
- » be reasonably available to be contacted by Council.

PACKAGING REQUIREMENTS

Food must be packaged in a material that is appropriate to the food being sold. If the food is to be displayed it must also be displayed in such a way that the safety and suitability of the food is not compromised.

Food labelling requirements exist for foods and these can be found at health.qld.gov.au/public-health/industry-environment/food-safety/requirements/labelling.

For further advice about labelling please contact Queensland Health.

TRANSPORT OF FOOD

All food must be transported in a way that protects the food from contamination. Appropriate temperatures must be maintained when potentially hazardous food is transported.

KITCHEN INSPECTIONS

Council's Environmental Health Officers (EHOs) are authorised to enforce the Act and ensure compliance with the *Food Standards Code*. An EHO will conduct an inspection of the domestic kitchen as part of assessing the application and will check whether the domestic kitchen complies with the *Food Standards Code*. Once the licence has been issued, an EHO will periodically inspect the kitchen to ensure continuing compliance with the Code.

Regular inspections of temporary food stalls at fetes and markets will also occur.

WHOLESALE OPERATIONS

These guidelines do NOT apply to those who wish to use their domestic kitchen for the purpose of commercial wholesale operations. Advice should be sought from Council's Planning Section on this matter to determine appropriate zoning and operation requirements. If the operation does not conflict with City Plan requirements, operators are then required to apply for a commercial food licence.

MORE INFORMATION

For more information, visit Council's website townsville.qld.gov.au, or call Council's Customer Service Centre on 13 48 10.