



shire of Ashburton

Information for food businesses operating from a home kitchen



To operate a food business from a residential premises there are requirements that need to be addressed. Certain food businesses may not be approved to operate at home because residential kitchens are not suitable for that purpose.

Seeking approval will require contacting the Shire of Ashburton on 9188 4444.

Planning services and requirements

Businesses that operate at home may require approvals from the Shire of Ashburton. Information about the requirements for Home Occupation Permits and Home Businesses is available on the Shire website or by contacting 9188 4444.

Health services requirements

Food businesses operating at home need to contact the Shire of Ashburton's Health Services for approvals, which incur application assessment fees (refer to schedule of fees).

The Shire and the Department of Health believe that it is only suitable to grant approvals to food businesses that are involved in 'low risk' activities. Below is a guide of low risk food activities listed by the Department of Health.

It is important to understand that the Shire of Ashburton will consider the risk posed by the food manufacturing activities of any proposed food businesses.

Low risk activities may become high risk activities, if food recipes require food additives to be used.

Additional considerations for the proposed business are to determine the suitability of it as a food premises.

As outlined in the Australian New Zealand Food Standards Code, Standard 3.2.3 requires that the food premises:

- Be appropriate for the purposes which they are used
- Provide adequate space for food production and equipment
- Facilitate cleaning, sanitising and maintenance
- Prevent access by and harbourage of pests
- Keep out dust, dirt, fumes, smoke and other contaminants

Low risk food activities – includes the production of:

- Jams, marmalades;
- Flour based products such as: biscuits, shortbread, scones, muffins and cakes which do not contain potentially hazardous foods such as cream and custards;
- Nougats, fudges, meringues, Turkish delights;
- Food activities such as cake decorating, repacking of bulk packaged low risk confectionery products;
- Pickled onions; Herb vinegars with a pH of less than 4.5;
- Chutneys, relishes and sauces that are heat treated by boiling or cooking;
- Dry Curry powder mixes if ingredients are purchased from an approved food business and the same rule applies for all other spices and spice mixes

Requirements from the *Food Act 2008*

The Act does not specifically prohibit food preparation in residential premises; it simply requires all food businesses to ensure compliance with the Act.

Definition of a food business: This means anyone preparing food for the intention of sales within a residential premise is considered a food business as defined by the Act.

Requirements of the Australian New Zealand Food Standards Code

The food Act 2008 adopts the Food Standards code which outlines specific requirements that are mandatory for all food premises to comply with. This includes food businesses operating from home kitchens, which are still subject to the same legislation as commercial kitchens. Some requirements include:

- Food handling controls such as receiving food, food storage, processing and disposal
- Food handler health and hygiene
- Design and construction
- Pest control
- Temperature control of potentially hazardous food.

It is strongly recommended that food business owners become familiar with the Code in order to keep their food businesses to an acceptable standard and understand what is required of them.

Fundraising and charitable activities

Section 6 of the Act allows for certain food preparation activities of a charitable or community nature to be exempt from all or any provisions of the Act. With this section in the Act, food regulations prescribe an exemption from registration to food businesses conducted as fundraising events so long as:

- The food business is conducted to raise money solely for the purposes that are of a charitable or community nature
- Any food handled in the course of conducting the food businesses:
 - Is not potentially hazardous food
 - After being appropriately cooked, is provided by the food business for immediate consumption

This means that premises used for the preparation of non-potentially hazardous food by volunteers will not need to be registered. The people who intend to carry out a charitable or fundraising event will still be required to notify the Shire of Ashburton of their food preparation activities.



Office Hours

Monday to Friday
8.00am – 4.30pm

Postal Address

PO Box 567
Tom Price, Western Australia 6751

Phone: 08 9188 4444

ashburton.wa.gov.au