

# FOOD BUSINESSES

&

FOOD SAFETY AND OPERATIONAL GUIDELINES

# TEMPORARY

# FOOD

# PREMISES

Shire of EAST  
**Pilbara**  
AUSTRALIA'S LARGEST SHIRE

Public & Environmental Health information





## INTRODUCTION

The purpose of this booklet is to provide information in an easy to read format to assist food business proprietors who want to operate a food business from registered or temporary premises. It is therefore appropriate for restaurants, cafés, catering businesses, shops that sell food and temporary or mobile food vendors.

The booklet highlights the key elements of food safety as well as the laws that affect the production and trade of food in the Shire of East Pilbara. The booklet promotes good hygiene practices; it is essential for food businesses to sell food that is safe to eat.



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## FOOD BUSINESSES AND TEMPORARY FOOD PREMISES

All food businesses that are either permanent or temporary are required to comply with the Food Act 2008, Food Regulations 2009 and Australia New Zealand Food Standards Code. The Food Safety Standards are based on a preventative approach to food-borne illness and are designed to ensure food businesses produce food that is safe to eat. Food businesses are therefore currently governed by the following state-wide legislation:

- Food Act 2008
- Food Regulations 2009
- Food Safety Standards (Chapter 3)
- Australia New Zealand Food Standards Code

### DEFINITIONS

**'Food'** includes:

- (a) any substance or thing of a kind used, or represented as being for use, for human consumption (whether it is live, raw, prepared or partly prepared);
- (b) any substance or thing of a kind used, or represented as being for use, as an ingredient or additive in a substance or thing referred to in paragraph (a);
- (c) any substance used in preparing a substance or thing referred to in paragraph (a) (other than a substance used in preparing a living thing) if it comes into direct contact with the substance or thing referred to in that paragraph, such as a processing aid;

(d) chewing gum or an ingredient or additive in chewing gum, or any substance used in preparing chewing gum; and

(e) any substance or thing declared to be a food under a declaration in force under the Commonwealth Food Standards Australia New Zealand Act 1991 section 6, whether or not the substance, thing or chewing gum is in a condition fit for human consumption.

(f) food does not include a therapeutic good within the meaning of the Commonwealth Therapeutic Goods Act 1989.

(g) to avoid doubt, food may include live animals and plants.

**'Food Business'** means a business, enterprise or activity (other than a business, enterprise or activity that is primary food production) that involves:

(a) the handling of food intended for sale; or

(b) the sale of food, regardless of whether, subject to section 6, the business, enterprise or activity concerned is of a commercial, charitable or community nature or whether it involves the handling or sale of food on one occasion only.

### RISK CLASSIFICATION

Food businesses are classed into:

- Exempt
- Low risk
- Medium Risk
- High Risk



## COUNCIL REQUIREMENTS

### PLANNING

The premises you have chosen may require planning approval and a Development Application may need to be submitted to ascertain suitability with the Local Planning Scheme in relation to zoning and parking requirements among other requirements.

### BUILDING

You will be required to submit a certified building permit for:

- Newly constructed premises;
- Where cool rooms and exhaust canopies are to be installed; or
- Where alterations may affect the structural integrity of the building.

### ENVIRONMENTAL HEALTH

Prior to undertaking any new developments, alterations or extensions, approval must be obtained from the Environmental Health unit, even where planning approval or a building permit is not required.

The following must be submitted:

- a) A fully completed Food Business Registration/Notification form including payment;
- b) Two sets of drawings showing:
  1. Scale 1:50
  2. All dimensions
  3. Floor plan
  4. Sectional elevations through walls etc.
  5. Hydraulic plans of fresh water and waste water services
  6. Mechanical exhaust ventilation plan
  7. Finishes of every wall, floor and ceiling
  8. The position and type of every fixture, fitting and equipment
  9. Toilet facilities
  10. Grease traps
  11. The estimated number of staff members
  12. The estimated number of patrons

*NOTE: Submitted plans must be of a high quality that clearly shows all of the above details. This will help Environmental Health Services assess the plans and approve the premises more quickly which is time beneficial for both you and the City.*

### APPROVAL OF PLANS

After the plans have been approved, one copy will be returned to you with applicable Environmental Health Conditions attached. You can then commence the construction of the food premises but the conditions of approval must be complied with.

### FINAL INSPECTION

Once construction is complete, you will need to contact Environmental Health Unit to arrange for an Environmental Health Officer to undertake a final inspection to assess for compliance with the approved plans and Conditions of Approval.

At the time of inspection, all building and construction work must have been completely finished. Additionally, the premises must be thoroughly cleaned and ready to commence food preparation. In the event that this is not the case and approval is not able to be granted, an additional inspection fee will apply for any subsequent inspections.

Food Business Registration and Inspection Fee

After the food business has been approved, you will be issued with a Food Business Certificate of Registration.

Registration of your food business occurs once and **does not expire**. The surveillance inspection fee is issued annually and must be paid to maintain registration.

*NOTE: Food businesses are charged a one-off notification or registration fee, food business fit-out inspection fees and an annual audit/surveillance inspection fee based on the food business risk classification. Please contact our office for current rates as these are amended annually.*

## DESIGN AND CONSTRUCTION

### GENERAL REQUIREMENTS

The food premises must comply with the requirements of the Australia New Zealand Food Standards Code; specifically Standard 3.2.3 – Food Premises and Equipment (FSS 3.2.3). The additional following information may be useful when designing your food premises.

#### Your food business design must aim to:

1. Exclude locations that may allow harbourage to vermin by such measures as eliminating cavities, cracks and crevices.
2. Facilitate easy cleaning by measures such as providing open access to all surfaces where grease and dust may accumulate and ensuring that all surfaces are durable, smooth, impervious and washable.
3. Allow the flow of food in one direction, from receipt, to storage, to preparation, to packing/serving/dispatch incorporating in the design process, provision for safe food handling practices so that the risk of contamination is minimised.

#### Consider:

1. Sufficient dining space, allowing adequate space per person for dining area.
2. Potential for future expansion. If in the future you may wish to upgrade the type of food preparation, then you may also need to upgrade the premises to suit. The kitchen incorporating crockery/equipment/chemical/food storage, washing areas, wet and dry preparation areas, refrigeration and cooking areas.
3. Separation of raw products and cooked/final products. Sanitary conveniences for both staff and customers. Space for change-rooms and storage area for personal items.





## PEST CONTROL

All openings must be protected as far as is practicable from pests through the use of screens, self-closing doors and other inhibiting mechanisms (e.g. air-curtains, fly-strips or fly zappers – fly-zappers must not be located over food contact surfaces). All external doors must be tight fitting and any gaps at the base fitted with brush strips of similar.

It is highly recommended to obtain the services of a qualified pest controller to carry out quarterly inspections and treatment for pests such as cockroaches and rodents.

## FOOD SAFETY TRAINING

It is a requirement that all food handlers demonstrate their skills and knowledge appropriate to the level of food handling that they are employed to carry out. To achieve this requirement the Shire recommends that all food handlers receive food safety training prior to handling food for sale to the public.

There are many training programs available and the Shire offers the “I’m Alert” Food Safety training program free through our website. This is a self-paced online learning tool that food business operators can use to train their staff to minimum compliance with the hygiene standards in the Food Safety Standards and is available via [www.eastpilbara.wa.gov.au](http://www.eastpilbara.wa.gov.au)

For further information about available training options please contact the Environmental Health

## MOBILE FOOD VEHICLES

Mobile Food Vehicles are required to comply with the Food Safety Standards. Acceptable solutions to compliance are:

- Food preparation area must be sealed off from the driving area;
- Hand wash basin must be of adequate size, connected to a holding tank of sufficient size to contain all waste water and have a supply of liquid hand soap and single use paper towels at all times
- A utensil washing sink to be provided in addition to a hand wash basin and be connected to the water holding tank;
- The holding tank must be located beneath the vehicle and all waste water disposed of to sewer;
- Vehicles must be designed and constructed so food is protected from contamination during transport;
- Vehicles must be designed and constructed so they can be easily cleaned;
- Food contact surfaces must be designed and constructed so they can be easily cleaned and sanitised;
- Food vehicles must be kept in a clean condition and parts must be maintained in good working order; Provision of adequate storage of food, including refrigerated or frozen food; and
- No animals are permitted to enter the food vehicle at any time.







## FOOD SERVICE TO VULNERABLE PERSONS

Food service to vulnerable persons such as hospital patients, Meals-on-Wheels clients in nursing homes, respite centres, children under the age of five years in child day care and similar services are required under Standards 3.2.1 and 3.3.1 of the Code to have a Food Safety Program that documents how the food business will control the food safety hazards associated with food handling activities of the business. Food businesses servicing vulnerable persons are required to comply with the Code in the same manner as other food premises in terms of Standard 3.2.2 Food Safety Practices and General.

For example, a larger child day care centre that provides for more than five children is required to comply with all of the Code Standards mentioned above, except for those where less than 5 vulnerable persons are serviced they are not required to have a Food Safety Program. Such premises are still required to have appropriate food premises, equipment, safety practices and comply with the general requirements.

## FOOD PREPARED IN RESIDENTIAL PREMISES

Food prepared in a residential premise for sale or other reasons defined in the Act, such as for charity or fundraising purposes, are also considered to be a food business activity and must comply with relevant aspects of the Act, Regulations and Code. Such activities are exempt from having to meet the full requirements, such as food handlers not being required to have the skills and knowledge expected of staff in a large commercial food business. In general, low risk food preparation activities may occur in a residential premises kitchen where approved by the Shire and where consistent with the Department of Health WA guidelines. Such activities must be approved by the Shire by completing the Food Business Notification/Registration Form. Examples of food preparation activities that are permitted in residential premises include:

- Child day care within a residential premises kitchen where less than seven children are cared for and meals are prepared for children in the residential home.
- Charitable or fundraising activities.
- General low risk food preparation such as the making of jams, pickles, cake decorating and similar products.

Please note that a kitchen within a residential premises used for the above activities must comply with the Code in respect to Standards 3.2.2 Food Safety Practices and General and 3.2.3 Food Premises and Equipment. While these standards can require suitable high quality finishes and

equipment fit-out in commercial premises, a residential kitchen would not be expected to have the same level of fit-out. Further advice from an Environmental Health Officer is required depending on the food risk and activity involved. Please discuss these requirements with the environmental Health Officer for further clarification if required.

### WHO APPROVES FOOD PREPARATION ACTIVITIES WITHIN RESIDENTIAL PREMISES?

The appropriate enforcement agency needs to be contacted to find out whether the proposed activity will be able to meet the requirements of the Code.

There are a number of points that need to be taken into consideration, including:

- whether the local town planning scheme will allow the proposed activity within a residential area
- whether the structure of the premises is appropriate for the proposed activities. This is to be determined by the appropriate enforcement agency
- the relative risk of the food preparation activities proposed
- whether the activity is for commercial gain or fundraising/charitable purposes.

### WILL FOOD PREPARED BY VOLUNTEERS FOR FUNDRAISING ACTIVITIES BE REQUIRED TO BE PREPARED IN APPROVED PREMISES?

This information applies to fundraising activities such as low risk cake stalls, fetes, festivals and the like.

Section 6 of the Food Act allows for certain food preparation activities of a charitable or community nature to be exempt from all or any provisions of the Food Act.

In accordance with this section, the new 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 purposes that are of a charitable or community nature
- any food handled in the course of conducting the food business:
- 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.

However, these types of food businesses will still be required to notify the appropriate enforcement agency of their food preparation activities. It is an offence for a food business not to notify the appropriate enforcement agency of their intention to operate, regardless of whether they need to register their business.





## TEMPORARY FOOD PREMISES / STALLS

Temporary food stalls have become important features at many festivals, fetes and markets held all year round in the Shire of East Pilbara. Food stalls play an important role at these events by offering a variety of tasty foods. The Shire of East Pilbara licenses temporary food stalls in accordance with the Food Standards Australia New Zealand (FSANZ) Food Safety Standards and the Food Act 2008. Temporary food stalls can pose a higher risk to consumers than takeaways and restaurants due to their temporary nature. Therefore it is important to ensure you follow these guidelines closely when setting up and operating a temporary food stall. That way you can ensure you are providing your customers with safe food.

### OPERATING AT A FESTIVAL OR MARKET

If you are operating at an event such as a festival, triathlon or market that is managed by an overall event manager, you will need to lodge your application through the event manager. Please obtain the necessary permission from the event manager. The licence will be issued to the event manager for all approved traders.

#### Setting up and operating a food stall

If you are planning to operate a food stall, visit the proposed site to ensure it is suitable for preparing, storing, handling and selling food, before you commence operation.

#### Structure and location

- Stall covers help protect the food from contamination. For example, a tent with a roof and three sides.
- The floor of the stall should be easy to keep clean.
- Tables and benches are to have good support and be covered with a material that is easy to keep clean.

### WASHING FACILITIES

- Separate hand washing and utensil washing facilities are to be provided. Set up two containers (around 20 litres by volume) fitted with taps. Label each container, one 'Hand washing only' and the other 'Utensil washing only'.
- Hot water and/or sanitiser is to be available for emergency cleaning.
- Liquid soap and paper towels are to be provided for hand washing.
- All cooking utensils are to be removed from the site at the end of the day and thoroughly cleaned and sanitised in dishwashing facilities connected to hot water.



### COOKING

- All cooking and hot food storage equipment is to be located under cover.
- If cooking equipment is located at the front of the stall, provide a sneeze barrier to protect the food.
- Locate any BBQ away from close proximity to the public, i.e. Back of the stall. Remember, a BBQ can pose a danger to the public, especially young children.
- A dry chemical fire extinguisher of suitable capacity must be placed in the stall if cooking is conducted within the stall.

### WASTE

- Provide a refuse container with a fitted lid and bin liner for the disposal of waste and label 'Refuse only'. Clean and empty the bin daily.
- All waste oil must be placed into an approved oil recycling container and removed at the end of the event by a licensed waste contractor.
- Waste water is to be stored in a container and labelled 'Waste water only' and disposed into a sewer under a trade waste approval, refer to Trade Waste Guide.

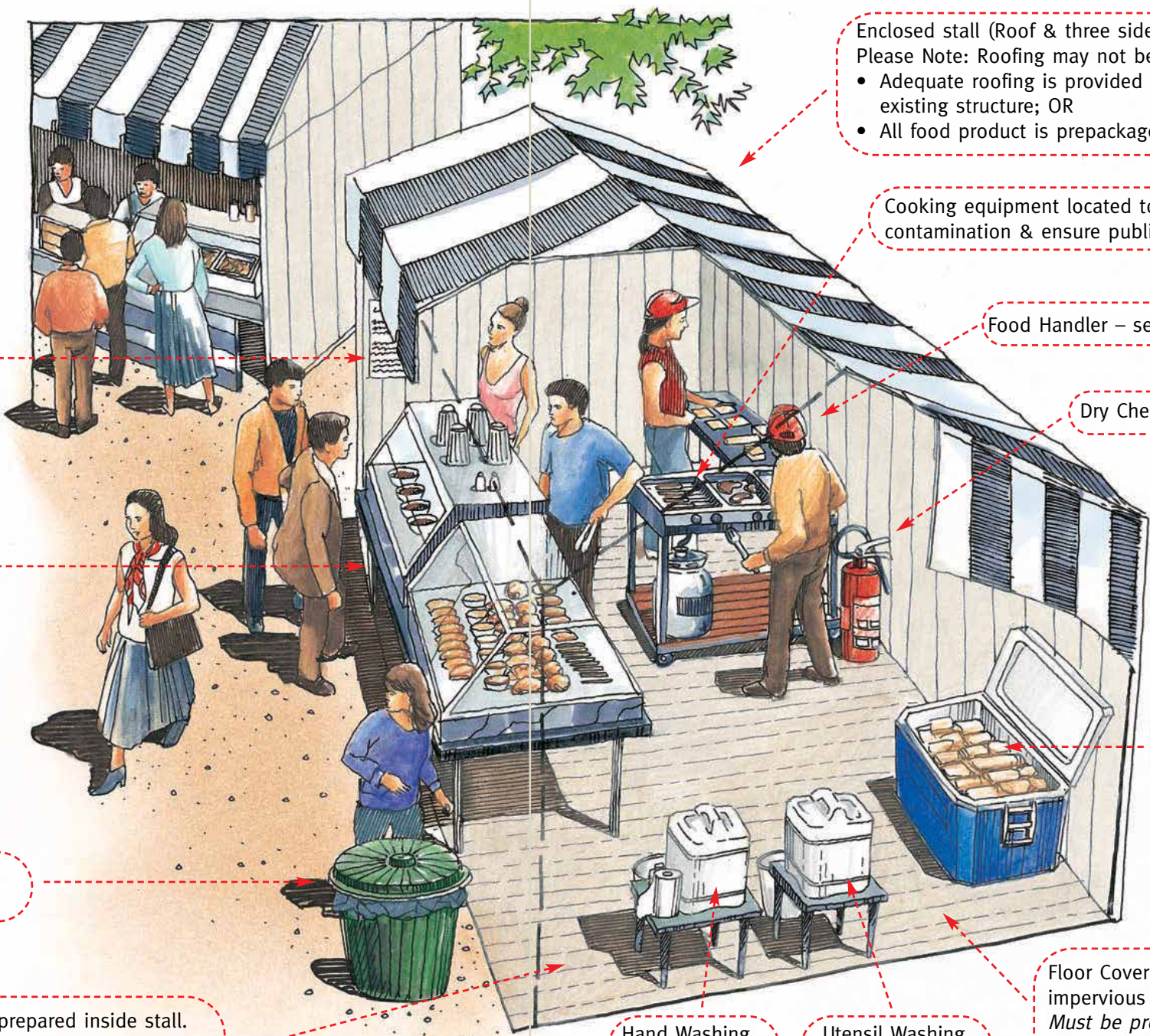
### EQUIPMENT

- Food storage equipment such as bain-maries and refrigerators must be connected to an electricity supply set up by a registered electrician.
- Mobile refrigerators/cold rooms will be needed to store the bulk of your high-risk food for the day.
- Insulated containers such as eskies packed with ice can be used for storing small amounts of food waiting to be cooked.
- A thermometer must be kept on site and used to regularly check the temperature of hot and cold foods. Electricity supplies at temporary events can be unstable and cut out without operators knowing. Checking the thermometer regularly and recording temperatures will alert you to any potential problems.
- Food found not being stored at the correct temperature may be investigated by an authorised officer and seized to prevent sale. Therefore temperature records are essential to prove your food has been kept at the correct temperature.

**WHEN HANDLING FOOD ALWAYS CONSIDER:  
AM I PROTECTING THE FOOD FROM CONTAMINATION?  
AM I MAINTAINING THE FOOD AT THE CORRECT  
TEMPERATURE?**



# ARTISTS IMPRESSION - MINIMUM STANDARDS FOR THE OPERATION OF A TEMPORARY FOOD STALL



Ensure a minimum distance of 10 metres separates food operations and any areas that are accessed by animals

Display of current Certificate of Food Licence for Temporary Food Stall (if applicable)

Food display, Food protection, Taste Testing - see over

Refuse Bin with lid and liner supplied

All food prepared inside stall. No food stored directly on ground. Overall clean condition.

Enclosed stall (Roof & three sides)  
Please Note: Roofing may not be required where:

- Adequate roofing is provided when located within an existing structure; OR
- All food product is prepackaged (no taste testing)

Cooking equipment located to protect food from contamination & ensure public safety

Food Handler – see over

Dry Chemical Fire Extinguisher

Temperature Control for potentially hazardous and perishable foods - see over

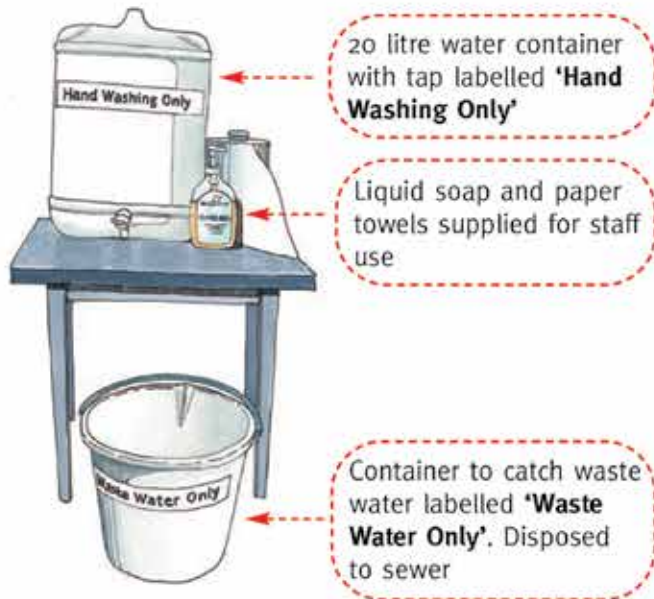
Hand Washing Facility - see over

Utensil Washing Facility - see over

Floor Covering – easy to clean, impervious material. **Please Note:** Must be provided if located on unsealed ground.



**MINIMUM HAND WASHING FACILITIES**



**MINIMUM UTENSIL WASHING FACILITIES**



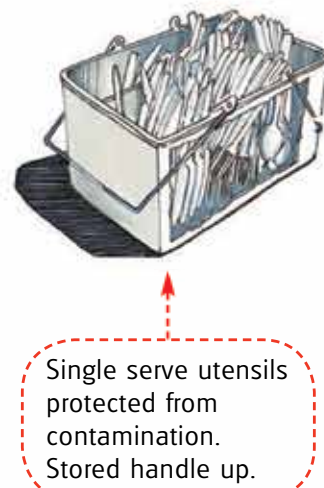
**FOOD HANDLERS**



**FOOD DISPLAY, FOOD PROTECTION, TASTE TESTING**



**SINGLE SERVE UTENSILS**



**SAUCES AND CONDIMENTS**



**TEMPERATURE CONTROL OF POTENTIALLY HAZARDOUS FOOD**



For further information on this topic, please contact Council





## SAUSAGE SIZZLES AND BARBEQUES

Sausage sizzles and barbecues are a popular way to raise money for charities and community organisations. They are often held outdoors to take advantage of Australia's good weather and open spaces.

Provided you take some simple food safety precautions and sell freshly cooked food straight from the barbecue, the food should be safe.

### PREPARING AND COOKING FOOD SAFELY

Take the following precautions at sausage sizzles and barbecues to ensure that food is safe.

- Finish preparing raw meat before leaving for the site such as slicing, marinating or skewering.
- Pack raw meat into insulated boxes with ice bricks for transportation.
- Handle food with tongs or other equipment. Use separate equipment to handle raw and cooked meats. Hands should not be used unless absolutely necessary, and then handwashing facilities must be available. Hands must be washed after handling raw meats.
- Keep cooked meat and salads separate from raw meat at all times to prevent contamination.
- Cover food to protect it from contamination.
- Use clean and dry utensils for serving the food - never place cooked meat back on the trays that held the raw meat.
- Cook chicken, sausages and hamburgers until juices run clear - steaks can be cooked to preference.
- Throw left-over food away unless refrigeration equipment is available to rapidly cool the food.

### DISPOSABLE UTENSILS

Wherever possible, single-use (disposable) utensils such as knives, forks, plates and cups should be used and thrown away after use. These items should be kept covered until required and should be handled carefully to minimise any risk of contamination. Re-useable items such as mugs should not be used unless there are facilities available on-site to wash and sanitise them, or there are enough items for the duration of the event.

### WATER

If water is needed for hand washing or for washing up, a supply adequate to last the event must be provided. The water must be of drinkable quality. If using containers to transport water to the event, make sure that they are clean and have not been used to store chemicals.

If you do not have access to hot water for washing up, make sure that you take enough utensils so that you can use separate utensils for the raw and the cooked food at the event.

### HANDWASHING FACILITIES

Unless a written exemption has been obtained from your local council or health authority, food handlers must wash their hands with warm running water. An exemption is only likely to be issued where enough water is not available for handwashing. In such circumstances the local council or health authority may permit the use of alternatives such as cleaning creams or gels, or sanitising wipes.

If you have access to water, you should set up a temporary handwashing facility that provides running water. You can do this by using a large water container with a tap at its base. Another container, such as a bucket, should collect the waste water, to keep the site dry and clean.

A supply of soap and paper towels must be provided at the handwashing facility so that handwashing can be undertaken properly. Supply a bin for used towels. This helps to keep the site tidy and prevents contamination from used towels.



## MANAGING COMMUNITY FOOD RELATED ACTIVITIES

EXAMPLE	CONSIDERATIONS	REGISTER/NOTIFY OR NOT APPLICABLE (WA)
Community and School Gardens  (such as vegetable and herb gardens run on a volunteer basis, no money is exchanged, primary purpose is a community or educational activity)	<p>The application of pesticides, insecticides, fungicides etc., withholding periods and the accessibility of the garden to the general public</p> <p>Are there any processes in place to manage contamination? Need to ensure potential for contamination of food preparation areas are managed. For example visible dirt should be brushed off before entering a food preparation area and produce thoroughly washed before consumption</p> <p>Legal liability if garden is on Council owned land Cooking Classes (whether for profit or not)</p>	<p>N/A as the activity does not include <u>sale</u> to the public</p> <p>Note: if the produce is sold at a school or community fair, then this activity would be notifiable</p>
Cooking Classes (whether for profit or not)	<p>Encourage educators to include good food hygiene and safety messages in classes</p> <p>Encourage the business to comply with the Food Safety Standards as “best practice”</p> <p>Discourage people from taking potentially hazardous food prepared in a class home, unless they are aware of correct temperature controls</p>	N/A as the primary activity is a service, not the actual sale of food
Catered Social Events  (including sporting clubs, scout clubs )	<p>Event organisers should be aware of storage and temperature control requirements</p> <p>Ensure food sourced from reputable caterers / suppliers to provide some guarantee of safety</p>	<p>N/A where the event is a private function and food is not for sale.</p> <p>Note: only the business supplying the food would need to be registered (as performing catering activities).</p>
Community and Charity BBQ's	<p>Event organisers must comply with the Food Safety Standards</p> <p>If the event is a regular/long term occurrence, the requirement for more permanent fixtures should be considered (i.e. hand washing, fixtures for the protection of food)</p> <p>100% of profits must go to community or charitable causes. For example, profits cannot be used to pay staff</p>	<p>Notification without fee – exempt from Registration and fees under Regulation 10 of Food Regulations 2009.</p> <p>Note: exemption only applies if food cooked and presented for immediate consumption or is low risk (refer to Regulation 10 of Food Regulations 2009)</p>





*for*

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Health information