

## FACT SHEET

## Starting a Home Based Food Business



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## HOME-BASED FOOD BUSINESS LICENCING REQUIREMENTS

Anyone providing food for sale has an obligation under the *Food Act 2006* (the Act) and the *Australian New Zealand Food Standards Code* (the Code) to ensure that the food is safe and suitable for consumption.

In accordance with the Act, businesses that handle food for sale may be required to hold a food business licence. In some circumstances a domestic premises may be granted a food business licence.

Examples of licensable home-based food businesses include:

- Preparation of food for sale at a market, fete or via social media;
- Bed and breakfast accommodation;
- Home-based catering of a minor/infrequent nature;
- Motel kitchens that also serve as kitchens for owners/on-site managers.

Certain businesses do not require a licence, including those that only sell prepackaged food, tea and coffee, ice or flavoured ice (e.g. slushies), and some low risk snack foods.

Handling of food at a person's home that is intended to be given away to a non-profit organisation for sale by the organisation (e.g. donating cakes to a fundraising cake sale) is exempt from the Act and therefore also does not need a licence.

You must contact Council to determine if you require a licence or food safety program **before** you commence operating.

## OBLIGATIONS OF A HOME-BASED FOOD BUSINESS

Prior to operating a food business an 'Application for Food Business Licence' will need to be submitted to Council for assessment.

Queensland Health's Home-based Food Businesses Fact Sheet provides a useful overview of the food safety obligations of a home-based food business.

Licensable home-based food businesses must also:

- Nominate a food safety supervisor (*refer to Food Safety Supervisor fact sheet*)
- High risk food businesses, including catering, may also require a food safety program
- Ensure compliance with any Council Planning Scheme requirements including (if needed):
  - obtaining a development approval, and/or
  - obtaining a building, plumbing and drainage approval

### Development approval

You may be exempt from obtaining a development approval if the activity meets the following:

*'Home activity being a hobby, minor commercial activity, occupation or profession carried out in , or in the same site as a house by any permanent resident of the house, where the total use area for the activity occupation or profession does not exceed 50m<sup>2</sup> or constitute more than 10% of the total use area of the house and:*

- *Has no employees*
- *No public signage of the activity;*
- *No customers or visitors to the site; and*
- *No sale or hire of goods on site.'*

### Building, Plumbing and Drainage approval

Installing or altering plumbing and drainage, or construction or renovation of buildings may require Council approval. The discharge of trade waste may also require a permit and a grease trap may be required.

## MORE INFORMATION

Fact sheets and application forms are available on Council's website: [www.banana.qld.gov.au/council-services/food](http://www.banana.qld.gov.au/council-services/food)

More detailed information for anyone starting a new business can be found on the Queensland Health website [www.qld.gov.au/health/staying-healthy/environmental/food](http://www.qld.gov.au/health/staying-healthy/environmental/food) and the Queensland Government's Business Queensland website [www.business.qld.gov](http://www.business.qld.gov).

### How can you contact us?



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