

# Home based food business guidelines

## 1. Introduction

This guide outlines the requirements to set up and operate a home based food business in the Northern Territory (NT). The *NT Food Act 2004* requires a person to register the premises where food intended for sale is handled or sold. This includes domestic kitchens and temporary or mobile food premises associated with any home-based business activities.

When food is made or handled for sale at home the premises used and food handling operations conducted must comply with various standards and requirements including the:

- *NT Food Act 2004* and *Food Regulations 2014*; and
- *Australia New Zealand Food Standards Code* – Chapters 1, 2, 3 and 4

## 2. Setting up a home based food business

If you are intending to set up a home based food business, approval is required from an Environmental Health Officer in NT Health prior to operating the business. Depending on the set up and operation you may also require planning approval, building permit and a trade waste permit from the relevant authorities:

- Contact a Planner at Development Assessment Services (DAS) who can provide you with information on home based business planning rules. Find out more about planning approvals and home based business on the [NT Government website](#)<sup>1</sup>.
- Contact Building Advisory Services (BAS) who can provide you with information on the requirements for any proposed fit-out/structural changes to your home. Find out more about [building and renovating at home](#)<sup>2</sup>.
- Contact the Power and Water Trade Waste team who can provide you with information on [approval to discharge trade waste to sewerage](#)<sup>3</sup>.

Other information to help you start a business can be found in the NT Government website - [Start a business guide](#)<sup>4</sup>.

If you are not the owner of the property, you should seek approval from your landlord and/or body corporate before considering operating a business from home.

### 2.1 Risk class and requirements for domestic kitchens

Food businesses in the Northern Territory are classified by Environmental Health Officers using the [NT food business risk classification framework](#)<sup>5</sup>. The classification depends on the inherent food safety risks

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<sup>1</sup> <https://nt.gov.au/property/land-planning-and-development/contact-a-planner>

<sup>2</sup> <https://nt.gov.au/property/building/build-or-renovate-your-home/building-and-renovating-a-home>

<sup>3</sup> <https://www.powerwater.com.au/developers/water-development/trade-waste>

<sup>4</sup> <https://nt.gov.au/industry/start-a-business>

<sup>5</sup> <https://nt.gov.au/industry/hospitality/accommodation-and-food-businesses/risk-classification-in-food-businesses>

that exist in a food business. The highest risk category is Priority 1 (P1), followed by P2, P3 and then P4, which is the lowest risk category.

P1 and P2 businesses involve the handling of high risk foods. When processing high risk foods a commercial grade kitchen separate from the domestic kitchen will be necessary in most circumstances to comply with legislative requirements. Generally, the domestic kitchen of a residential premises is only suitable for small scale, low to medium risk food activities (P3 & P4). For example baking cakes, making jams and biscuits.

High risk activities that are unlikely to meet the necessary Food Standard requirements in a domestic kitchen can consider other options such as:

- A separate dedicated kitchen set up at home
- Utilising an existing commercial food premises (including mobile food premises)
- Hiring a community venue with a registered commercial kitchen set up

### 3. Structural requirements

All food premises must be designed and constructed in accordance with [Food Standards Code 3.2.3 - Food Premises and Equipment](#)<sup>6</sup>. The design and construction of the kitchen must comply with these standards and be appropriate for the activities of the food business. The following provides a summary of the most relevant sections from Chapter 3.2.3 and is not an exhaustive list:

#### Provision of fixtures, fittings and equipment

Fixtures, fittings and equipment must be provided that are adequate and fit for their intended use. This includes:

- A permanent hand washing facility supplied with hot and cold water through a single outlet with liquid soap and paper towel available.
- A double bowl sink for cleaning and sanitising of equipment. The sink must be supplied with hot and cold water and of a size to allow for cleaning of the largest piece of equipment.
- A food preparation sink depending upon the types of foods being handled.

In kitchens where there is a double bowl sink and a dishwasher, one half of the double bowl sink may be designated for the purposes of hand washing. Good cleaning and sanitation practices can allow for the hand wash sink to be used for washing food when there is minimal food preparation.

#### Adequate supply of potable water

Must have a sufficient supply of water able to carry out all food preparation, equipment washing, hand washing, cleaning and other water using operations (including appliances such as dishwashers).

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<sup>6</sup> <https://www.foodstandards.gov.au/code/Pages/default.aspx>

Businesses using private water supplies such as rainwater tanks and bore water must comply with the Australian Drinking Water Guidelines. All private water supply operators should have a water supply management plan. Further information can be found on the [NT Government website](#)<sup>7</sup>.

### **Adequate space**

The kitchen must be fit for its purpose and be of a sufficient size to enable the production of safe and suitable food.

### **Separate designated storage areas (food/equipment/chemicals)**

Clearly designated storage facilities need to be provided for all cold, frozen and dry ingredients, ready to eat foods, utensils, equipment, and food packaging. These facilities must be separate from all domestic food and household items. Chemicals and cleaning equipment must be stored in an area separate from where food and food equipment is handled and stored.

### **Suitable floors, walls and ceiling**

All walls, floors, ceilings, benches and cupboards must be in a good condition and finished with a smooth, durable, impervious material capable of being effectively cleaned.

### **Adequate ventilation**

If cooking, then adequate ventilation should be provided over all cooking appliances. Domestic exhaust hoods are likely to be suitable for small scale home based businesses.

### **Pest proof and waste disposal**

The premises must be pest proof to prevent the entry of rodents, birds, animals and insects. Adequate waste disposal measures must be in place. Bins must be suitable for the volume of garbage and recycled matter and be emptied on a regular basis to prevent pest activity.

## **4. Operational requirements**

### **Recall protocols**

Food business that manufacturer, wholesale supply or import must have a written recall plan in place. A copy of the FSANZ Food Industry Protocol can be accessed on the [Food Standards website](#)<sup>8</sup>. The ingredients you use to make your food could also be subject to recalls. Keep records of your ingredients, suppliers, and business sales to enable traceability. You can keep informed on food recalls by subscribing to FSANZ's free email [food recall alert service](#)<sup>9</sup>.

### **Packaged food labelling**

All packaged food for retail sale must be labelled in accordance with Food Standard 1.2.1. Visit [Food Standards Australia and New Zealand](#)<sup>10</sup> for further information and useful labelling tools. Food products

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<sup>7</sup> <https://nt.gov.au/industry/hospitality/accommodation-and-food-businesses/private-water-supplies-businesses>

<sup>8</sup> <https://www.foodstandards.gov.au/industry/foodrecalls/firp/pages/default.aspx>

<sup>9</sup> <https://www.foodstandards.gov.au/media/pages/subscriptionsservice.aspx>

<sup>10</sup> <https://www.foodstandards.gov.au/industry/labelling/Pages/default.aspx>

labelling can be complex and you should seek advice from an independent food analyst especially if you are making any claims (e.g. allergens) or require product shelf-life testing.

### **Food safety training**

It is your responsibility to ensure that all food handlers have adequate skills and knowledge. Free non-accredited online training is available at [I'm Alert<sup>11</sup>](https://www.imalert.com.au/v6/?sub=nt) or Department of Health Victoria - [Do Food Safely<sup>12</sup>](https://dofoodsafely.health.vic.gov.au/index.php/en/).

### **Prevent contamination of food**

During preparation, packaging, and transport of food no smoking, pets, children, or other domestic activities are permitted.

### **Cleaning and sanitising**

A food grade sanitiser is required for sanitising food contact surfaces. The premises must always be kept in clean and sanitary conditions, this includes all fixtures, fittings, utensils, equipment, and vehicles used to transport food.

### **Safe food temperatures, time and processing**

A digital probe thermometer is required to monitor temperatures of potentially hazardous foods. For further information on temperature control and operational food safety requirements please visit the [NT Food safety and regulations webpage<sup>13</sup>](https://nt.gov.au/industry/hospitality/accommodation-and-food-businesses/food-safety-and-regulations/food-safety-standards).

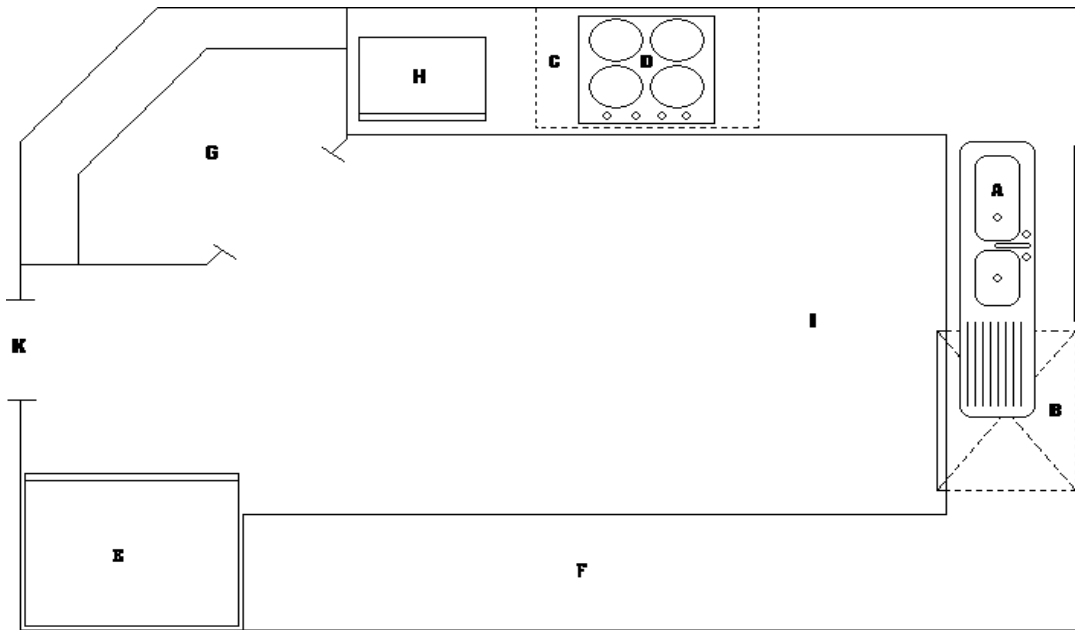
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<sup>11</sup> <https://www.imalert.com.au/v6/?sub=nt>

<sup>12</sup> <https://dofoodsafely.health.vic.gov.au/index.php/en/>

<sup>13</sup> <https://nt.gov.au/industry/hospitality/accommodation-and-food-businesses/food-safety-and-regulations/food-safety-standards>

## 4.1 Typical setup of a domestic kitchen and sample floor plan



<b>A:</b> Double bowl sink with hot and cold water through a single outlet (one side used as the hand wash sink)	<b>G:</b> Pantry with designated shelf for dry food used in the business separate from household food items.
<b>B:</b> Under bench dishwasher with hot cycle for sanitising equipment	<b>H:</b> Microwave
<b>C:</b> Range hood above cooking equipment	<b>I:</b> Flooring in good condition and constructed of a smooth impervious material that is easily cleaned
<b>D:</b> Stove top and oven	<b>J:</b> Window fitted with flyscreen to prevent entry of pests when window opened
<b>E:</b> Refrigerator with designated shelf for food used in the business separate from household food items	<b>K:</b> Entrance
<b>F:</b> Food preparation benches in good condition and constructed of a smooth impervious material that is easily cleaned	<b>Note: Kitchen allows for one way product flow with adequate room for the activities carried out.</b>

## 5. Temporary and mobile food premises

If you plan to operate a temporary or mobile food premises, you are required to register as a food business. If this is an additional operation to the home business, then a separate registration may be required. A temporary or mobile food operation may be permitted to prepare certain foods from the home kitchen for

the sale at a market or event subject to approvals and conditions from an Environmental Health Officer. For more information refer to the Mobile and temporary food premises guidelines.

## 6. The application and registration process

### Step 1. [Lodgement of a food business application](#)<sup>14</sup>

Complete the application form and attach a floor plan of the proposed kitchen and/or photographs. Refer to section 4.1 (sample floor plan) to assist you. Include a description about the types of food and processes and attach a copy of your proposed menu. Applications are processed within 30 days from the date you submit.

### Step 2. Assessment of application

An Environmental Health Officer (EHO) will contact you within 7 days to acknowledge receipt. The EHO will then assess the information and provide an initial risk classification that applies to the business and whether the proposal is suitable for a domestic kitchen. Further information may be requested. It is recommended that you wait for the assessment before conducting any works or alterations to the food premises.

### Step 3. Inspection and confirmation of risk classification

An inspection of the premises will be arranged with the EHO. You will be advised if the proposal complies with all the requirements. If it does not comply you will be given the option to rectify the issues and arrange a follow up inspection or choose not to progress the application.

### Step 4. Pay fee and decision on registration

When the risk classification is confirmed the [registration fee can be paid](#)<sup>15</sup>. Once all necessary inspections have been conducted a decision will be made on registration and a written outcome will be provided to you. If the premises complies with the Food Standards Code, you will be granted a Certificate of Registration allowing you to commence trade.

### Step 5. Routine inspection and registration requirements

Registered food businesses are subject to routine inspections by an Environmental Health Officer. Food business registration is valid for 12 months. You must submit a renewal application at least 30 days before your registration expires. If you change your business's name, proprietor details, premises location or sell/close the business you must notify NT Health within 14 days. If you wish to change your food activities or a registration condition you must apply to NT Health prior to changes being made.

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<sup>14</sup> <https://nt.gov.au/industry/hospitality/accommodation-and-food-businesses/register-or-renew-a-food-business>

<sup>15</sup> <https://nt.gov.au/industry/hospitality/accommodation-and-food-businesses/food-business-registration-fees>