

Environmental Health Guidelines for Home-based Businesses

A “home business” encompasses any goods and services provided to the public from a residential dwelling. This includes the sale of food products and provision of services including hairdressing, skin penetration and beauty procedures, such as nail treatments and waxing.

In order to obtain environmental health approval, the following steps must be taken:

- Complete and submit an application form (provided by the Town’s EHOs)
- Payment of fees and charges
- Inspection of the residential premises by an EHO to assess the level of compliance with legislative requirements
- Rectification of any non-compliance issues identified during the inspection

A licence certificate or letter of approval must be issued by an EHO prior to the business beginning operation. The suitability of a residential premises to operate as a business is assessed on a case-by-case basis due to the significant variability of characteristics between residential premises.

Legislative requirements are determined by the type of goods and service provided by the business. The following pieces of legislation are relevant:

Food business

Food Act 2008

Food Regulations 2009

Hairdressing

Hairdressing Establishment Regulations 1972

Skin penetration & Beauty therapy

Health (Skin Penetration Procedures) Regulations 1998

General requirements for ALL home businesses

- The premises must be structurally sound and fit for intended use with adequate space
- All surfaces in the designated area of operation must be constructed of smooth, durable and impervious materials that are easy to clean
- Adequate supply of warm water must be available for purpose of hand-washing
- Adequate supply of hot water and sanitizer or disinfectant available for re-useable equipment
- All rubbish and wastewater must be adequately disposed of
- Adequate ventilation and lighting is required for all activities
- Premises must be effectively cleaned of dirt, dust and other contaminants
- Premises is not to provide harbourage for pests
- Adequate storage areas for equipment and chemicals

- Adequate toilet facilities and separate handwashing facilities
- All fixtures, fittings and equipment are to be fit for their intended purpose
- It must be possible to exclude pets from the food premises

Considerations for a Skin penetration, Beauty & Hairdressing business

A *skin penetration procedure* is a procedure whereby the skin is cut, punctured, torn or shaven, or a mucous membrane is cut, punctured or torn.

In addition to meeting general requirements listed on pages 1 and 2, the proprietor is required to demonstrate adequate procedures for:

- Equipment disinfection
- Disposal of 'sharps' equipment
- Laundering of towels and linen
- Handling single- use, disposable items

Compliance with the legislative requirements specific to the type of service is mandatory. Hairdressing establishments must maintain compliance with the *Hairdressing establishment Regulations 1974* and skin penetration or beauty therapy establishments must maintain compliance with the *Health (Skin Penetration Procedure) Regulations 1998* and the Code of Practice for Skin Penetration Procedures.

Any 'high risk' skin penetration procedure, classified by the piercing of the skin, are generally not permitted from a residential premises for infection control purposes. These activities include, tattooing, piercing, acupuncture and skin needling. However, each application and premises is assessed individually against the legislative requirements.

Considerations for a Food business

A home-based food business (HBFB) is only permitted to operate as **Low Risk**. This means that only low risk foods may be prepared and sold from the premises. Examples are as follows:

- Baked flour-based products, including biscuits, cake, muffins
- Jams, marmalade, heat-treated chutneys and relishes
- Nougats, fudges, meringues

Medium and high risk foods, including *potentially hazardous food (PHF)*, are not permitted to be prepared from a HBFB. PHF requires time- and temperature- control. It tends to support the growth of bacteria due to a high moisture content, lack of acidity, lack of heat treatment, a significant amount of nutrients and a need for refrigeration. Examples of PHF include cooked meat, cooked rice, seafood, juice, salads, egg, and food with pH exceeding 4.6, recipes with food additives, dairy products (e.g. cheesecake) and fermented foods (e.g. kombucha tea).

The Town supports advice provided by the Department of Health that only **Low** risk foods are permitted to be prepared from a HBFB. Any medium and high risk foods, including PHF are strictly **not permitted**.

A residential kitchen has limited capacity to comply with requirements of the Australian Food Safety Standards. For example, residential kitchens are not designed to comply with the construction and fit-out requirements of AS 4674-2004. In addition, the mixed-use nature of the residential kitchen

between commercial and private use, creates challenges for maintaining food hygiene requirements and preventing contamination of food prepared for public sale with bacteria and other pathogens that are introduced to the kitchen during private use.

The public health risks associated with food prepared from an unregistered residential kitchen are significant. All aspects of the business must maintain compliance with the Food Standards Code, including food labelling requirements for packaged food (i.e. allergy statements). The supply of food from an unregistered kitchen is a breach of the *Food Act 2008* and significant fines apply.

Should any medium to high risk foods be served for particular events, applicants must organise the hire of a registered commercial kitchen facility. Some Town facilities are available for hire via bookings@porthedland.wa.gov.au.

Temporary licensing of a residential kitchen for community events

The *Food Act 2008* allows a residential premises to be exempt from registration if the purpose of food preparation is to raise money solely for purposes that are of a charitable or community nature. Food handled and prepared must be:

- Low Risk food (not PHF); and
- Served for immediate consumption after cooking.

The Town must be notified at least 2 weeks prior to the proposed event and be provided with details of their operation and the type of food to be prepared.

Should you require further information, please contact the Town's Environmental Health Services on 9158 9300.