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Town planning and regulatory advice

Home based business

Food preparation and sale

██████████ far as my research goes – there are 2 sets of hurdles you may have to jump over:

Food preparation/safety laws/regulations/guidelines:

1. The *Food Act (Qld.) 2006* – a ‘food business is “any business, enterprise, or activity that includes food handling’– where ‘food handling’ is defined as making, manufacturing, producing, collecting.... processing, storing, transporting, delivering, preparing, treating, preserving, packing, cooking, thawing, serving and displaying of food”.

To assist implement the various provisions in this Act, the following regulations may also apply:

- a) *Food Regulation 2016* (the Food Regulation)— this contains the bulk of provisions for implementing the aims of the Food Act in terms of licensable food businesses.
 - b) *Food Production (Safety) Act 2000* —which implements the Food Act in terms of the production of primary produce – so probably doesn’t relate to your proposed business.
 - c) *Food Production (Safety) Regulation 2014*—sits under the Food Production (Safety) Act 2000 – and contains provisions the Food Safety Schemes that business must implement¹.
2. Then there’s the Australia New Zealand Food Standards Code (the Food Standards Code) which sets standards for food safety and hygiene.

For a good starting point to go www.qld.gov.au/health/staying-healthy/food-pantry. You will note that this website directs you to your local government authority.

Town planning:

I’m assuming at the start you’d do this at home (until you make your first few millions then move out to Caloundra West into a 25,000m2 purpose-built factory). To be honest, this isn’t a big issue. In fact, I’m not

¹ Note, however, your business may be exempt entirely from the operation of the ‘Act’ what you produce is classed as a therapeutic product – which includes dietary aids and supplements registered by the *Therapeutic Goods Administration (TGA)* – which you are probably aware of. But you probably don’t want that, and I don’t think what your would produce would be a therapeutic good – unless you include therapeutic goods into the food (vitamins, medicines, etc.).



even sure you need a permit. Normally a home business would only require a planning permit if it's of a 'high impact home-based business' – i.e., servicing and repairing vehicles, use of power tools for woodworking and furniture manufacturing, or metal work and welding.

The only requirements you need to comply with the avoid a planning permit otherwise are set out in the home occupation code (see attached pdf document) in the planning scheme: These can be summarised:

- The residents of the house operate the business + one other person allowed.
- No external alterations to the buildings, etc.
- Max. 40% of building used for business.
- Max. 2 customers on site at any one time.
- No odorous emissions, noise, etc. above EPA guidelines (extremely unlikely, its only food).
- Only 1 commercial vehicle and no greater than 2.5 tonnes.
- All business activities done within the house: all production, storage, sales (i.e. transfer of good and money).
- Commercial deliveries to the site/take aways – no larger than courier van (whatever that means) and all loading/unloading to take place within the site (*not necessarily within a building*) and during acceptable hours.
- Minimal advertising signage on site.
- Moderate additional load on public infrastructure (power, sewerage, wastewater, water).

Hope this is of some help.

If there's anything further, please call (0414129261) or email me.

I also encourage you to visit our website www.auptownplanning.com.

Regards

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