

FOOD BUSINESS GUIDE

OPERATION



City of HOBART

Food Business Guide

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This guide has been developed to provide information for new and existing food businesses.



Under the *Food Act 2003*, you must not provide or sell food to the public until you have registered with your local Council. A small number of businesses do not need to register. These businesses still need to notify their intent to operate a food business.

The following categories apply in the City of Hobart:

- **Notification** – for those selling low risk food, packaged by the manufacturer without preparation, service or handling of food, i.e. confectionary, chips, packaged drinks. This is a one-off application, with a small administration fee.
- **Registration** – a permanent restaurant, eatery, cafe, caterer or B&B that prepares and serves food

and drinks (including coffee). This registration expires each year and you will need to renew your registration to continue operating. The fees are related to the business risk category and inspection frequency.

- **Mobile Food Business Registration**

– a food business that can move around, such as a food van or food stall. This is an annually renewable registration. The registration is statewide recognised by all Tasmanian councils. The fees are related to the business risk category and inspection frequency.

If an approved kitchen is used to support the food van/tent processes, this application will cover the mobile business and the permanent approved premises.

The Guidelines for Mobile Food Businesses and the City of Hobart Food Truck Program Guideline must be adhered to for Mobile Food Businesses.

- Department of Health, Guidelines for Mobile Food Businesses
- City of Hobart - Food Truck Program Guidelines

- **Temporary Food Business**

Registration – Temporary food businesses, such as sausage sizzles and cake stalls, also need to be registered with the City of Hobart. Complete the online temporary food application form and submit it with the payment. An EHO may contact you if there are questions about your operation. A certificate will be sent once the fee has been paid. Please ensure you operate within the minimum requirements outlined in the Guidelines for Mobile Food Businesses.

- **Risk Classification** – Council EHOs will determine your business risk category based on food types and food handling activities. The Department of Health has developed and maintains a risk category system to assist Council EHOs to gain consistency across the State.

- **Home Kitchens** – If you are considering using your home kitchen to produce food for sale, you should initially speak with the City of Hobart Planning Unit as you may need permission. You will also need permission from your landlord if renting. Depending on the activities undertaken and risks involved, you may need to register or notify your home based food business. Contact Council's EHO to discuss this process in more detail. Please note: some proposals are not suitable for a home based food business.

- **Training** – As the owner of a food business, you and your staff must have relevant food safety skills and knowledge. You should be able to provide evidence of your training to Council's EHOs.

- DoFoodSafely - There is a free online course in multiple languages which you can access via Council's website called DoFoodSafely. Once you've completed the course, you will be emailed a certificate of completion.
- Food Safety Supervisor (FSS) requirement was introduced in 2023 under a new, nationwide food safety law, the Food Standard Code 3.2.2A. If you are a caterer or a food service that processes unpackaged potentially hazardous food, you will be required to appoint an approved trained FSS. More information may be found on the Department of Health website.

BUYING AND SELLING AN EXISTING FOOD BUSINESS

- Buying or taking over an existing food business – Contact Council for information about the business well before the sale is finalised or contracts are signed. Please note, you will need written permission from the current owner to obtain a copy of any reports or to be provided with detailed information relating to the business.
- It is your responsibility to ensure you have the relevant planning, plumbing and building permits in place. It is a 'buyer beware' situation, and you can

be held responsible for unapproved premises. Further information regarding approvals can be found in Council's [Food Business Construction Guide](#).

- **Pre-purchase inspection** – First, check with the EHO that the premises has current registration. Second, request a prepurchase inspection to identify any outstanding matters and potentially expensive problems. If you choose not to have this inspection, you may inherit faults from the previous owner and be held responsible for fixing them. You will need written permission from the owner to undertake the inspection. Fill out the pre-purchase inspection form and pay the application fee. One of the EHOs will contact you to arrange the inspection.
- **Transfer of Registration** – A registration certificate is not transferable between the existing registered owner and yourself. This means that when you buy a food business or take over a lease, you must apply for food business registration. This needs to happen at least two (2) weeks before you begin to operate, to allow time for an inspection and any follow up.
- **Selling your business** – When selling a food business, ensure that your registration is current and that there are no outstanding conditions or notices. This will make the sale process easier and avoid lengthy negotiations with potential buyers. **You could also consider providing any prospective buyers with a pre-purchase inspection report to speed up negotiations. Remember to email Council's EHO to advise when your business has closed, or changed hands.**
- **Renewals** – Annual food business registrations expire on 31 May each year. Council will email each food business a renewal application form and invoice

prior to the expiry of the registration. It is the responsibility of the food business to ensure the renewal form is submitted and invoice settled, prior to the registration expiring.

FOOD LEGISLATION

The following legislation should be followed by proprietors of new or renovated food premises:

- *Food Act 2003*
- Food Safety Standards
- Food Safety Supervisor – Food Safety Standard 3.2.2A
- Hobart City Council Single Use Plastics By-law No. 1 of 2020 – applies to takeaway food businesses.
- *Manufacturing Controls for Raw Egg Products* – for dressings, sauces, drinks and desserts - Department of Health, Tas.
- Department of Health, Tas. Food Safety Supplementary – for:
 - Sushi
 - Chinese Style Roast Meats and
 - safe water in food preparation
- Helpful Guides
 - Sous Vide – Food Safety Precautions for Restaurants – NSW Food Authority.
 - Food Safety Guidelines for the Preparation and Display of Sushi – NSW Food Authority.

Please refer to the *Food Business Guide* –



Construction, for all legislation relating to fit out and or renovation to your premises.

Council's Environmental Health Officers regularly inspect premises to check compliance with the *Food Act 2003* and the *Food Standards Code*. To contact the City of Hobart, Environmental Health Unit:

Phone: 03 6238 2711

Email: health@hobartcity.com.au

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