

Home-based Food Business

A home-based food business handles or stores food for sale from a home. Products of this business can be sold directly from home, online, at markets, school canteen, food vehicle, home-based childcare or through catering.

Starting a food business at home



It is important to know that a home-based food business must seek planning approval from the Council or a Private Certifier before operating.

Preparing the answers to the following questions will help establish the type of planning application required:

- What kind of food will be handled and sold?
- Do you live in a house, unit, villa or townhouse? Do you need owner/s' or strata approval?
- Will food be sold directly to the public or sold to retailers?
- How will the food be sold (i.e., picked up, delivered, sent via post etc.)?
- Is the food made at home or purchased from a provider (i.e., manufacturer) and repackaged at home?
- Can you set aside an area in the house for the food handling activities only?
- Do you need to alter or modify your home?
- How many people will be working in the business?

Planning Criteria

1. Complying Development Certificate:

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* sets out specific requirements in which a home-based food business approval can be granted under a **Complying Development Certificate**. This type of approval can be obtained from [Council](#) or a [Private Certifier](#).

To obtain a Complying Development Approval, the proposed development must comply with the following conditions:

1. Does not employ more than 2 persons other than the resident of the dwelling.
2. Does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil, traffic generation or otherwise.
3. Does not expose to public view any unsightly matter.
4. Does not exhibit any signage (other than a business identification sign).
5. Does not involve the retail sale or display of items that were not produced on-site other than by online retail.
6. Does not involve the change of building use. (Note. Under the Building Code of Australia, a change of building use involves a floor area greater than 10% of the floor area of a building.)
7. In addition, where manufacturing of food is involved, the premises must comply with the relevant requirements of *AS4674-2004, Design, construction and fit-out of food premises*, as well as the *Food Act 2003* and the regulation under that Act.

2. Development Application:

If the proposed home-based food business does not meet the requirements as Complying Development, then approval may be considered via a **Development Application**. This type of approval is obtained from Council. For further details, please refer to Council's [DA Guide requirements](#).

Owner's consent

The property owner's consent and/or strata approval must be obtained before lodging any application.

Sydney Water requirement

A home-based food business must notify Sydney Water of its business by completing an application via [Sydney Water Tap in services](#).

Fit-out of the home

The fit-out of all food premises, including a home-based food business, must comply with the requirements of:

- AS4674:2004 – Design, construction and fit-out of food premises – this document is available in Council's library, and
- [Food Act 2003](#), and
- [The Food Standards Code](#) – specifically, section 3.2.3

Where the current fit-out does not comply with those standards, a renovation will be required to enable compliance.

Before taking any steps to modify or alter your home, please enquire with [Council's Duty Planner](#), as some works may not be permitted due to other planning considerations.

Alternatives:

Where the home cannot comply with the standards to handle food, hiring a commercial kitchen can be [an](#) alternative solution. Many places in Sydney offer commercial kitchen rental on a temporary or hourly basis.

If food is not produced from home, approval may still be required if food is stored, or work associated with the business is carried out from home.

Notification of a Home Food Business

All home-based food businesses must notify Council. [Notification](#) is only accepted if planning approval has been granted before the business commences. Once approval is obtained, notification of the food business can be submitted via [Council's website](#) or using this QR code:



Notification fees apply in accordance with [Georges River Council's Fees and Charges](#).

Where Can I find more information?

For information regarding planning criteria for home-based food businesses, please contact [Council's Duty Planner](#).

For details regarding the ongoing operation and fit-out of the home-based food business, please contact Council's Environmental Health Officer:

Phone: 9330 6400

E-mail: mail@georgesriver.nsw.gov.au