

**DEVELOPMENT APPLICATION REQUIREMENTS FOR THE INTERNAL  
CONSTRUCTION OF FOOD PREMISES (INCLUDING HOME BUSINESSES)**

This guide outlines the requirements for the internal construction of a food premises. Development Consent must be obtained from Council before any work is carried out to the premises. These requirements also apply for a home based food business and all renovations carried out to an existing food premises.

All construction and fit-out of the food premises must be constructed in accordance with *the Food Act 2003, Food Regulation 2015, the Food Standards Code* as published by Food Standards Australia and New Zealand and AS 4674-2004: Design, construction and fit out of food premises.

Council is not permitted to copy Australian Standard AS4674-2004: Design, construction and fit-out of food premises, due to copyright reasons. If you require a copy of the Standard please contact 'Standards Australia' on 1800 035 822.

This guide provides the following information on:

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## 1. General requirements for a development application

A development application is required:

- When a new food premises is to be constructed, or
  - Where any change, alteration or upgrade is proposed to be conducted to an existing food premises.
- 1.1 Development consent must be obtained from Council before any work is carried out to the food premises. Please refer to Councils [Build and Develop page](#) for further information or contact the City Development Division on (02) 4645 4608.
- 1.2 A construction certificate must be obtained for all new food premises and for any alterations carried out to an existing food premises. Please refer to Councils [Build and Develop page](#) for further information or contact the City Development Division on (02) 4645 4608.
- 1.3 Where the demolition of an existing building is required to make way for a new food premises, additional demolition consent is required. Please refer to Councils [Build and Develop page](#) for further information or contact the City Development Division on (02) 4645 4608.

## 2. Floor plans and other information required to be submitted with a development application

A professional detailed plan of the premises is required to be submitted and must demonstrate exactly how the proposed development complies with the requirements of the **Australia New Zealand Food Standards Code** and **AS4674-2004: Design, construction and fit-out of food premises**. The plans must include the following:

- 2.1 A detailed description of the types of food related procedures and practices that will take place, such as preparation, handling, storage, packaging, cleaning etc.
- 2.2 A detailed floor plan, drawn to scale, and showing:
- 2.2.1 The proposed floor layout and use of each room/area
  - 2.2.2 Details of all construction materials and other materials that will be used within the premises (i.e. finishes of all floors, coving, walls and ceilings)
  - 2.2.3 Elevations of the walls and floor finish, showing the type and method of installation of coving to be used
  - 2.2.4 Locations and design details of proposed hand washing facilities
  - 2.2.5 Locations and design details of proposed washing facilities and any floor wastes
  - 2.2.6 Proposed location and details of all fixtures, fittings and appliances (including the proposed method of installation)

- 2.2.7 Details showing location, capacity and clearance of hot water services
- 2.2.8 Design and construction details of cool rooms and/or freezer rooms, including condensation collection and disposal
- 2.2.9 Proposed location and details of storage facilities for cleaning equipment and staff personal belongings
- 2.2.10 Proposed location and details of all waste storage areas.

**Please Note:** Hand drawn plans will not be accepted

### **3. Inspection, registration and notification requirements**

#### **3.1 Registration and inspection**

The premise is required to be registered with Council so that regular inspections can be carried out to ensure health standards are maintained. A business registration form is available on Council's website which must be completed and submitted to Council prior to the operations of the food business commencing.

Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted (Phone 4645 4604) to undertake for an inspection of the premises. An inspection fee will be charged in accordance with Council's current schedule of fees and charges.

#### **3.2 Routine food premises inspections**

Council's Environmental Health Officers will inspect your food premises on a regular basis. All inspections are unannounced to assess compliance with health and safety requirements. A service charge for each inspection applies and the proprietor of the business will be invoiced a short time after the inspection.

#### **3.3 Food safety supervisor**

Food businesses selling potentially hazardous foods are required by law to appoint a food safety supervisor that has undertaken food safety training at a registered training organisation approved by the NSW Food Authority. The food safety supervisors details must be submitted to Council. Notification forms are available from Council or online at [www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)

### **4. Food premises construction requirements**

#### **4.1 Floors, walls and ceilings**

- 4.1.1 Floor construction – the floor construction must be finished to a smooth, even non-slip surface, graded and drained to the floor waste (AS4674-2004 – Section 3).
- 4.1.2 Floor waste – all floor wastes in the food preparation, service and scullery area must be fitted with a sump removable basket and grate, and finished in all stainless steel (AS4674-2004 – Section 4.1.8).
- 4.1.3 Coving – approved, recessed coving must be provided at all intersections of the floor with the walls/plinths within all food preparation, service, and storage areas.  
All coving must:
  - a) Have a minimum concave radius of 25mm, or
  - b) Be tiled 50mm minimum in width and splayed at 45°.

The coving must be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface in

accordance with Figure 3.1 and 3.2 of the Australian Standard. Feather edge skirting and non-rebated coving are not permitted (AS4674-2004 – Section 3.1.5).

- 4.1.3 Penetrations/service lines– all service pipes and electrical conduits must be contained in the floor, walls and plinths or ceiling (AS4674-2004 – Section 3.2.9).
- 4.1.4 External penetration/service lines – external service pipes and electrical conduit must be fixed on brackets so to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces. Service pipes and electrical wiring must not be placed in the recessed toe space of plinths or of any equipment (AS4674-2004 – Section 3.2.9).
- 4.1.5 Wall requirements – all walls in the food premises, including all new and existing partition walls, must be of solid construction and finished to a smooth, impervious surface that can be easily cleaned, as specified in Table 3.2 of AS4674-2004. The finishing materials of the wall surfaces shall provide an even surface, free of buckles and ledges, fixing screws, open joint spaces, cracks or crevices. Cavity walls are not permitted (AS4674-2004 – Section 3.2).
- 4.1.6 Ceiling construction – the ceiling in the food preparation and food service area must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed. Drop-in panel style ceilings are not permitted in food preparation areas or over areas where open food is displayed, handled or served (AS4674-2004 – Section 3.2).
- 4.1.7 Window sills – any windowsill within a food preparation area, service or scullery area must be located 450mm above the top of any bench/sink and tiled at a splayed angle of 45 degrees.
- 4.1.8 Pest protection – flyscreens and/or other approved means of excluding the entry of pests must be provided to all window and door openings in accordance with Section 2.1.5 of AS4674-2004.

Where pipe work, drains, cables and ducts penetrate walls, ceilings and roofs, holes shall be sealed, filled and finished to prevent the entry of pests.

Spaces between adjoining structures, such as between coolroom walls and premises walls, shall be accessible for inspection and cleaning or sealed with a suitable compound so that they are inaccessible to pests.

Spaces between the top surface of equipment or structures such as coolrooms shall be accessible for inspection and cleaning or sealed or boxed in so that they are inaccessible to pests.

- 4.1.9 Meter box – an approved non-absorbent, smooth faced cover must be provided over the meter box. The cover is to be splayed at an angle of 45 degrees to the wall at the top and made tight fitting to the wall surfaces.
- 4.1.10 Roller doors – the drum of a roller door situated in the food preparation area must be enclosed in a frame sheet with compressed cement sheet, and finished smooth and sealed. The enclosure must be accessible for pest control inspection and maintenance (AS4674-2004 – Section 2.1.5).

## 4.2 Washing facilities, hand basins and hot water systems

- 4.2.1 Hand basins – hand basins must be provided in all parts of the premises where open food is handled and in utensil/equipment washing areas. The hand wash basin is to be located and installed in such a way that they are not obstructed, are at bench height either permanently fixed to a wall, to a supporting frame or set in a bench top and is accessible no further than 5 metres away from any place where food handlers are handling open food.

The hand wash basin is to have a permanent supply of warm running potable water mixed to a temperature of at least 40°C and delivered through a single outlet. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand basin (AS4674-2004 – Section 4.4).

- 4.2.2 Dishwashing machines – the dishwashing/glass washing machine must be designed and able to operate in accordance with AS4674-2004 and the Food Standards Code. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80°C for 2 minutes or 75°C for 10 minutes (AS4674-2004-Section 4.1.6).

Appropriate ventilation must be provided over the dishwashing system and be designed and installed in accordance with Australian Standard 1668.2-2012 – the use of ventilation and air conditioning in buildings – Part 2 mechanical ventilation in buildings.

- 4.2.3 Wash sinks – a double bowl wash sink must be installed and serviced with hot and cold water through a single outlet (AS4674-2004 – Section 4.1). The double bowl sink is in addition to the hand basin.

A triple bowl sink must be installed and serviced with hot and cold water through a single outlet where rinsing is required before or after sanitising e.g. wash, rinse, sanitise procedure or wash, rinse/sanitise, rinse procedure (AS4674-2004 – Section 4.1).

- 4.2.4 Food preparation sink – all food preparation sinks must be used only for the preparation and cleaning of food. The sink is in addition to the hand basin and equipment wash sink (AS4674-2004 – Section 4.1).

- 4.2.5 Cleaner's sink and tap fittings – where a cleaner's sink is required, it must be serviced with hot and cold water through taps fitted with hose connectors. Cleaner's sinks must be located outside of areas where open food is handled (AS4674-2004 – Section 4.1.8).

### **Where floor wastes are provided,**

Hot and cold wall mounted taps must be installed fitted with hose connectors and positioned at least 600mm above the floor in a convenient and accessible location within the food preparation area adjacent to the floor waste (AS4674-2004 – Section 4.1.8).

- 4.2.6 Hot water service – the hot water service must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted at a minimum 150mm above the floor level on a non-corrosive metal stand (AS4674-2004 – Section 4.3).

The hot water system must be of adequate size to enable a sufficient amount of hot water to all washing facilities throughout the working day.

### 4.3 Fittings and fixtures (including display units and self-serve appliances)

4.3.1 Fittings – all fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and cervices to enable easy cleaning (AS4674-2004 Section 4).

4.3.2 Installations of fittings and fixtures – all fittings and fixtures must be built into the wall and floor so to be free from joint, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following.

- Plinths – plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- Wheels or castors – fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- Legs – fittings and fixtures can be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and cervices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150mm.

PLEASE NOTE: False bottoms under fittings are not permitted (AS4674-2004 – Section 4.2 and 4.3).

4.3.3 Food preparation benches – all food preparation benches must be constructed in stainless steel or finished in a smooth and non-absorbent material, that is free of joints (AS4674-2004-Section 4.2).

4.3.4 Benches – the top and exposed edges of all benches and counters must be finished in a smooth and non-absorbent material, free of joints, cracks and crevices. (AS4674-2004 – Section 4.2).

4.3.5 Storage cabinets – All storage cabinets (internal and external surfaces) must be finished in a smooth and non-absorbent material that is free of joints (AS4674-2004 – Section 4.2).

4.3.6 Light fittings – all fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- a. recessed so that the diffuser is flush with ceiling, or
- b. designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate (AS4674-2004 – Section 2.6.2)

4.3.7 Shelving – all shelving must be located at least 25mm off the wall. Alternatively, the intersection of the shelf and the wall is to be completely sealed to the satisfaction of Council (AS4674-2004 – Section 4.2).

- 4.3.8 Display units – all food display units must be enclosed to prevent the possibility of contamination by customer's breath, handling, or from flies, dust, etc (Food Regulation 2004, AS4674-2004 – Section 4.2).
- 4.3.9 Self-service appliances – self-service food appliances must be constructed so as to comply with Food Regulation 2010 and with the National Code for the Construction and Fitout of Food Premises as published by the Australian Institute of Environmental Health.
- 4.3.10 Food storage – any appliance used for the storage of hot and cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance (Food Regulation 2004).

#### 4.4 Cool rooms and freezer rooms

- 4.4.1 Cool room and freezer room floor – the cool room and /or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside the cool room and freezer room adjacent to the door.
- 4.4.2 Metal work – all metal work in the cool room and freezer room must be treated to resist corrosion.
- 4.4.3 Condensation collection – condensation from the refrigeration units/cool room/freezer room motors must be directed to a tundish, installed in accordance with Sydney Water requirements.
- 4.4.4 Cool room and freezer room– the cool room and freezer room must be provided with:
  - a. a door which can at all times be opened from inside without a key
  - b. an approved alarm device located outside the room, but controllable only from inside.

#### 4.5 Condensation collection

Condensation from refrigeration units, freezer units and coffee machines must be directed to a tundish, installed in accordance with Sydney Water requirements (Food Standards Code 3.2.3).

#### 4.6 Mechanical exhaust and charcoal exhaust systems

- 4.6.1 Mechanical exhaust systems – a food premises must be provided with a kitchen exhaust hood complying with Australian Standard 1668.2 – 2012 – The use of ventilation and air conditioning in buildings – Part 2: Mechanical ventilation in buildings and 1668:1-1998 The use of ventilation and air conditioning in buildings – Fire and smoke control in multi-compartment buildings where applicable.

**Note:** Mechanical ventilation is required for:

- (a) any cooking apparatus that has:
  - (i) a total maximum electrical power input exceeding 8 kW; or
  - (ii) a total gas power input exceeding 29 MJ/h; or
- (b) the total maximum power input to more than one apparatus exceeds–
  - (i) 0.5 kW electrical power; or

(ii) 1.8 MJ gas,  
per m<sup>2</sup> of floor area of the room or enclosure

or any deep fryer;

- 4.6.2 Charcoal exhaust systems – all hoods and associated exhaust systems for use over charcoal and solid fuel appliances must be provided with a separate system and not be combined with a system serving grease or oil heating appliances (AS1668.2-2012 Section 3.4.6).
- 4.6.3 Offensive odour – to ensure that adequate provision is made for the treatment of odours, suitable odour control equipment shall be fitted to the mechanical exhaust system within the development. This equipment shall be capable of enabling the operation of the exhaust system free from the emission of offensive odours from the premises as defined under the *Protection of the Environment Operations Act 1997* and Regulations.
- 4.6.4 Occupation certificate – prior to the issue of any occupation certificate or occupation or use of premise, certification from a suitably qualified professional engineer shall be submitted to the Principal Certifying Authority verifying that the exhaust system in the food premises is installed and constructed in accordance with Australian Standards.

#### 4.7 Toilet facilities and hand basins

A toilet for staff must be provided on the premises.

The toilet cubicle must be separated from areas where open food is handled, displayed or stored by one of the following:

- a. an intervening ventilated space fitted with self closing doors; or
- b. self closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS4674-2004 – Section 5.2).

Toilets intended for customer use must not be accessed through areas where open food is handled, displayed or stored.

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least 40°C and fitted with a hands-off type tap set (AS4674-2004 – Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

#### 4.8 Storage of food, staff belongings and equipment

- 4.8.1 Locker storage of staff belongings and equipment – sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings (AS4674-2004 – Section 5.2).
- 4.8.2 Store rooms – the storeroom must be constructed in accordance with AS4674-2004 by providing the following:
  - a. a smooth, even, non-slip floor surface.



- b. Walls must be provided with a smooth even surface and painted with a light coloured washable paint to enable easy cleaning in accordance with Table 3.2 of AS 4674-2004.
- c. Ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof (AS4674-2004 – Section 3.2)
- d. Shelving or storage racks must be designed and constructed to enable easy cleaning.
- e. Appropriate ventilation must be provided (ducted to the external air) within the store room to allow for the escape heat and odour that can be produced from refrigeration and freezer motor units.

#### 4.9 Office materials

Facilities for storing paperwork and other materials associated with the administration of business must be in a designated room for office use or enclosed cupboard or drawer dedicated for that use (AS4674-2004 Section 5.1.3).

#### 4.10 Waste storage areas and rooms

The waste storage area /room must be provided with smooth and impervious surfaces (walls and floors) and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning.

Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. The ground areas shall be paved with impervious material and shall be graded and drained to a waste water disposal system according to Sydney Water's requirements. A hose tap connected to a water supply shall be provided (AS4674-2004 – Section 2.4).

#### Waste and recycling storage, collection and disposal

1. The business operator must enter into a commercial waste contract agreement for regular waste and recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.
2. All waste and recycling generated from the business is to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.
3. Waste bins that are placed out on a public place for collection must only be placed out for collection on the day of the collection after 6.00pm and must be removed by 8.00am the following day. Any residual waste left on the public place as a result of bin placement must be removed within undue delay.

#### 4.11 Health and public nuisance

The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the

*Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises.

#### 4.12 Butcher shops

The following conditions are applicable where raw red meat or poultry is prepared and/or sold:

The premises must be constructed and operated in accordance with Australian Standard AS4674-2004: Design, construction and fit-out of food premises and NSW Standard for construction and hygienic operation of a retail meat premises as published by the NSW Food Authority.

The premises are required to be licensed with NSW Food Authority prior to operations commencing. An application can be made by contacting NSW Food Authority, PO Box 6682 SILVERWATER NSW 1811, and Telephone: 1300 552 406.

Prior to operations commencing, the premises must be inspected and approved by an authorised representative of NSW Food Authority. Confirmation that approval to operate has been granted from NSW Food Authority is to be provided to Council before commencement of operations.

### 5. **Smoke free eating areas**

Any enclosed eating area must be smoke free. No Smoking signs must be displayed within the eating areas to ensure all patrons comply with this requirement (*Smoke Free Environment Act 2000*). Please refer to NSW Health website [www.health.nsw.gov.au](http://www.health.nsw.gov.au) for further information.

### 6. **Food transport vehicles and mobile food vans**

Food transport vehicles and mobile food vans must be constructed in accordance with Standard 3.2.3 of the Food Safety Standards – Section 17 and the Food Authority's Mobile Food Vending Vehicles – Operation, Construction and Food Handling guidelines. Food transport vehicles are to be notified with the NSW Food Authority on 1300 552 406. Details of vehicles shall also be submitted to Council and approved prior to the business commencing.

### 7. **Grease arrestors**

All grease arrestors must be located outside of where food and equipment is handled or kept. Access to grease arrestors for emptying shall not be through area where open food is handled or stored or where food contact equipment and packaging materials are handled or stored (AS4674-2004 Section 2.3).

HOME FOOD BUSINESSES – Sydney Water will not allow a commercial trade wastewater connection from a residential property that generates greasy wastewater and therefore limits the type of food being prepared for sale at home. Only low risk foods (non PHF) are permitted such as Jams, Preserves, Cakes, Biscuits, Muffins, Scones and Confectionary.

The person with the benefit of this consent must obtain and submit to Council details of a Trade Waste Agreement with Sydney Water before the issue of the Construction Certificate. If no trade waste agreement or grease trap is required, a letter from Sydney Water is to be submitted to the accredited certifier to this effect.

Please contact Sydney Water for information and requirements for grease arrestors by calling 132 092.

## 8. Food regulations and requirements

All staff must have appropriate skills and knowledge in food safety and food hygiene. Information fact sheets (in English and other languages) are available from Food Standards Australia New Zealand website [www.foodstandards.gov.au](http://www.foodstandards.gov.au)

All staff must be knowledgeable of their specific health and hygiene responsibilities under the Food Safety Standards 3.2.2. (Clauses 13-15) which is available from the website [www.foodstandards.gov.au](http://www.foodstandards.gov.au)

The proprietor of the food business must be aware of the general food safety and hygiene requirements regarding:

- regular cleaning and sanitising the food premises
- providing an adequate supply of hot and cold water, soap and paper towels from a dispenser to the hand washbasin at all times
- maintaining and understanding temperature control of hot and cold high-risk foods
- provision and use of a thermometer probe
- maintaining the premises to prevent any likely food contamination.

Council Environmental Health Officers are permitted to issue on the spot penalty infringement notices for any offence under the *Food Act 2003*.

Additional information can be obtained from [www.foodauthority.nsw.gov.au](http://www.foodauthority.nsw.gov.au) or by contacting the Food Authority on 1300 552 406.