

Applications for establishing food business premises

Establishing a food business premises whether in a new or existing building requires compliance with a number of separate Acts which may seem to overlap when planning, designing and constructing or altering the building involved.

Application may be needed for:

Planning Approval by Planning

Building Approval by Building Compliance (or Private Certifier)

Food Business Licence by Environment and Public Health

Trade Waste Approval by Fitzroy River Water

Plumbing and Drainage Permit by Plumbing Compliance

Information about each approval is available at: www.rrc.qld.gov.au www.frw.com.au (Trade Waste)



Why so many different applications?

Each facet of your operation is regulated by a separate legislative instrument (Act and/or Regulation). The application form required for each facet is a separate legal document applicable only to the jurisdiction of the relevant legislative instrument.

For example, applications involving a cooked menu comprising fresh and fried, baked or barbecued food served in a sit down, eat in, environment with full table service and mixed gender staff of 12 persons will result in some similar and some very different requirements to a strictly takeaway salad roll food premises, not cooking food and staff of two persons when discussing the premises with each department listed below.

Planning Approval

At least three criteria related to your chosen property must be checked for compliance to determine whether the property use which you propose:

- fits the definition of the current use of property
- is compatible with the current zoning (including existing use rights)
- intensifies the use of the property.

The Duty Planner will assist you to determine which of these or other criteria apply and recommend which type of planning application, if required, you will need to submit to Council.

Building Approval

A Building Certifier will assist you to determine if your chosen property has the appropriate classification to be occupied in the manner in which you propose.

Criteria which require determination in relation to your proposed use include, but are not limited to:

- existing building classification compatibility with your proposal
- fire safety requirements (emergency exits, fire safety equipment)
- accessibility requirements for persons with disabilities
- lighting
- ventilation (including mechanical ventilation of cooking area, if applicable)
- provision for toilet amenities
- structural requirements (where alterations to building are intended).

By discussing the content of your plans, specifications and FULL details of intended operation with a building certifier, you can be advised:

- if a building application is required
- what aspects of your proposal require building approval
- why approval is necessary.

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Food Business Licence

To ensure that food for sale is safe and suitable for human consumption, anyone operating a food business premises must comply with the *Food Act 2006* and the Food Safety Standards. The standards set out requirements for food premises and equipment which will influence how you plan the layout of your business. Influencing factors which must be considered include:

- your fully detailed food menu
- materials and finishes proposed
- equipment you intend utilising
- waste disposal
- mechanical exhaust ventilation (where applicable, also a building requirement)
- fixtures and fittings proposed.

Refer to the Food Business Fit Out Guide and Licensee Guide on Council's website www.rrc.qld.gov.au for more information.

Trade Waste Approval

Trade Waste activities are covered under the *Water Supply* (*Safety & Reliability*) *Act 2008*.

Trade waste is defined as waterborne waste from business, trade or manufacturing premises, other than waste that is a prohibited substance, human waste or stormwater.

Written approval must be obtained from Council to discharge any trade waste from food premises into Council's sewerage system. In order to obtain approval, a means of treating food premises waste prior to discharging such waste into a sewer may be mandatory depending on the nature of the waste. Factors which influence the requirement for treatment include, but are not limited to:

- detailed menu
- information on what's involved in food preparation, cooking and/or service
- trade waste quantity including daily volume and discharge rate
- trade waste quality including fat, oil and grease content, temperature, and other contaminants
- fixtures in the food preparation, cooking and/or service areas.

Plumbing and Drainage Permit

The installation of plumbing fixtures which discharge to trade waste requires that a compliance permit be issued by Council prior to commencement of work.

Information which must be included in an application for compliance assessment for plumbing and drainage work includes:

- site plan of proposed shop layout including proposed sanitary plumbing and drainage
- capacity of each fixture shown on plan
- waste capacity per day of appliances connected to drain
- proposed capacity of the hot water system to service the food premises.

This is in addition to the information required to lodge a properly made application as shown on the Plumbing and Drainage Application Checklist found on Council's website www.rrc.qld.gov.au.

Local Laws

Local Laws can provide advice and assess approvals for:

- having dogs in outdoor dining areas
- applying for footpath dining areas
- portable advertising signs
- displays and products on footpaths
- flags and promotional material on footpaths.

Each of the areas listed above works with each other to ensure a fully compliant food premises to be established quickly and efficiently.

While approval may be granted by each department in isolation, this information is prepared to assist you to not have approvals which may impact adversely on another approval because some details have not been shared with the affected Council department.

As an intending operator of a food premises, you, no doubt, anticipate receiving approval documents or permits which complement each other to enable as smooth a transition as possible, from concept to opening day.

Each of the Council staff involved has the same objective while ensuring that all statutory requirements are complied with for the benefit of your business, your reputation and the welfare of your customers and Council's, namely, the community.





