



HASTINGS
DISTRICT COUNCIL

Opening a Food Business

A Guide to the application and legislative requirements involved in
establishing and operating a food premises

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INTRODUCTION

This booklet is designed as an introductory guide to inform you of the relevant legislation and standards that are required to be followed by operators of a food business. It will also give you the steps to follow in the application procedure. It does not cover all detailed aspects of the legislative requirements and you are **strongly advised** to consult with Environmental Health Officers who can provide advice and additional information to clarify any areas of uncertainty.

Starting out in a food business is a challenging proposition and it is important to realise the part that you will play in providing a hygienic and healthy environment.

In establishing a food premises, commitment to ensuring a high standard at the development stage through selection of suitable materials and equipment, combined with thoughtful design, will result in greater operational efficiency and cost effectiveness.

You are urged during the process of establishing your business, or with any problem subsequently arising that relates to the food business, to consult an Environmental Health Officer who can provide advice and additional information to clarify any area of uncertainty.

Council staff will help with applications and assist in providing information relating to Building Consent applications for new buildings and alterations. For technical advice and information you will need to consult with the following departments and officers (phone 06-8715000) before proceeding with any venture.

1. Environmental Health

- a) Environmental Health Officers - for advice on your food premises
- b) District Licensing Inspectors - if your business involves the sale, supply or consumption of alcohol.

2. Building Control

- a) For information on building issues including; means of escape requirements, change of use, earthquake strengthening if required and access for people with disabilities.
- b) For Building Consents where required.
- c) For a "LIM" (Land Information Memorandum). This will give you summary detail of information held on Council records in respect of a particular property and will include items such as rates, building consents, planning information and any requisitions.

3. Planning

For advice on the District Plan and Resource Management Act requirements.

4. Trade Waste – Water Services Bylaw

For information on whether the premises waste discharges comply with the Hastings District Council Water Services Bylaw, contact Council's Trade Waste Officer.

LEGAL REQUIREMENTS

THE FOOD ACT 2014

From 1 March 2016 new food business are required to operate under the Food Act 2014. There are two food safety measures:

1. Food Control Plans

A food control plan sets out the steps a business making or selling higher-risk foods needs to take to make safe food. It is used to identify food safety risks, and to show how they're being managed. For further information on FCPs visit the following link:

<https://www.mpi.govt.nz/food-safety/food-act-2014/food-control-plans/>

2. National Programmes

A national programme is the way that lower-risk food businesses operate under the Food Act 2014. For further information on National Programmes visit the following link:

<http://www.mpi.govt.nz/food-safety/food-act-2014/national-programmes/>

To find out what food safety measure your business needs to operate under the Ministry of Primary Industries (MPI) have developed a “where do I fit tool?” at the following address.

<http://www.mpi.govt.nz/food-safety/food-act-2014/where-do-i-fit/>

THE FOOD REGULATIONS 2015

The Food Regulations set out a number of requirements for food business including design, construction, cleaning and pest control requirements. A copy of the regulations is available at the following link.

<http://www.legislation.govt.nz/regulation/public/2015/0310/latest/whole.html#DLM6684325>

The Environmental Health Officers can provide further information about the requirements.

HOW TO APPLY FOR REGISTRATION

An application form for a Food Control Plan or National Programme is available from Councils website at the following link [forms](#) (under Health and food licensing “Food Premises Licence”) or from the Customer Services Centre in Lyndon Road. The form should be completed, signed and then forwarded back to Council with the registration fee.

SALE OF ALCOHOL

If you intend to sell alcohol on your premises or have patrons bring alcohol for consumption on the premises whilst dining, you will need to apply for the appropriate licence as a requirement of the Sale and Supply of Alcohol Act 2012. For further information, Council's Liquor Licensing Inspector or the Environmental Health Officers can assist.

It is important to realise that the approval of applications and the issuing of licences will take time and the application for an alcohol licence is best made in advance of undertaking construction work on the premises.

In addition to staff toilets, provision of toilets for male and female patrons will be necessary and there may be a need to provide disabled persons toilet facilities. The number of sanitary fixtures will depend on the proposed seating capacity of the premises.

(As eating houses are defined as places of assembly, certain fire safety requirements and access provisions for people with disabilities will need to be addressed.)

SMOKE-FREE LEGISLATION

The Smoke-free Environments Act 1990 requires all internal areas of workplaces, licensed premises and certain public enclosed premises to be smoke-free. Further information can be obtained from the Public Health Unit, 06 834 1815, of the District Health Board.