# Application to register a food premises

**Council use only**

Application received: …………………………

Payment received: ……………………………

Registration number: ………………………..

Food Act 1984

# Overview

Please use this form to notify Cardinia Shire Council of your intent to register a food premises under The Food Act 1984. The Food Act 1984 regulates the sale of food for human consumption.

For mobile food premises (food trucks etc) and temporary food premises (market stalls, sausage sizzles etc) you need to apply via the statewide registration system FoodTrader - https://foodtrader.vic.gov.au

**Note:** the registration is not approved and valid until you have paid the required fee and Cardinia Shire Council has approved the application and provided you with a registration certificate.

**Note**: It is your responsibility to advise us of changes to email addresses or phone numbers. We communicate via email and SMS and a failure to update this information creates issues with registration renewal which can lead to enforcement action.

Planning and Building – Permits and Permissions

**Completing this form is for application of registration under the *Food Act 1984* only.** It does not constitute permission under any other legislation, including relevant building and planning legislation.Before applying for registration, you should consult with other departments within Council to ensure you meet their permit requirements to avoid any compliance issues.

* Have you confirmed with Council’s **Planning Department** that you have obtained any necessary planning permits or permissions for this premises  Yes  No
* Have you confirmed with Council’s **Building Department** that you have obtained any necessary building permits or permissions for this premises  Yes  No

Signature:

Date:

To contact either of these departments please call Cardinia Shire Council on 1300 787 624

**Note:** If applying to set up as a home business where you will be operating from a garage, a “change of use” permit must also be obtained from a private building surveyor.

# Proprietor Details

\*Proprietor Type Company  Individual  Partnership

Under the Food Act, a proprietor is a either a company (with an ACN) or a person(s).

If the business is being managed under a business name (associated with an ABN), the proprietor is the company or person behind that business name.

A Trust is not a legal entity and cannot be a proprietor. The proprietor for a Trust is the trustee and must be a person or a company. As an example, we cannot accept ‘the Trustee for the Family Trust’ as a Proprietor.

**Only complete the relevant section for your Proprietor type:**

## Company

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Company Name | |  | | | ACN |  |
| **Name of person applying** | |  | Authority (e.g. Director) | | |  |
| **Business Name** (if applicable) | |  | | | ABN |  |
| **Registered Address** | Street Address |  | | | | |
| Suburb |  | | Postcode | |  |
| **Email** (MUST be kept updated with Council) | |  | | | | |
| **Phone Number** | Mobile |  | | Business | |  |

**OR**

## Individual

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Name | First Name |  | Surname |  | | ABN |  |
| **Business**  (if not a Sole Trader) | Business Name |  | | | |  |
| **Address** | Street Address |  | | | | | |
| Suburb |  | | | Postcode | |  |
| **Postal Address** (if different from proprietor address) | Street/PO Box |  | | | | | |
| Suburb |  | | | Postcode | |  |
| **Email** (MUST be kept updated with Council) | |  | | | | | |
| **Phone Number** | Mobile |  | | | Business | |  |

**OR**

## Partnership

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Partnership Name | |  | | | ABN | |  |
| **Address** | Street Address |  | | | | | |
| Suburb |  | | Postcode | |  | |
| **Postal Address** (if different from proprietor address) | Street/PO Box |  | | | | | |
| Suburb |  | | Postcode | |  | |
| **Email** (MUST be kept updated with Council) | |  | | | | | |
| **Phone Number** | Mobile |  | | Business | | |  |
| **Partner 1** | First Name |  | Surname |  | | | |
| **Partner 2** | First Name |  | Surname |  | | | |

## Additional Contact Person (if required)

|  |  |  |  |
| --- | --- | --- | --- |
| Name |  | Role in Business |  |
| Email |  | Mobile |  |

# Premises Details

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Trading Name | |  | | |
| **Type of Food Premises**  (e.g. café, restaurant, supermarket) | |  | | |
| **Premises Address** | Street Address |  | | |
| Suburb |  | Postcode |  |
| **Is this an existing business purchased by a new owner/proprietor?** | | | | |
| Previous Trading Name | |  | | |

# Classification

There are five classes of food premises:

* Class 1 – premises where food is being provided to vulnerable people within a hospital, aged care or childcare setting or by home delivery services e.g. Meals on Wheels.
* Class 2 - premises that handle or manufacture unpackaged potentially hazardous food; or premises that manufacture low risk food for which any allergen free claim is made.
* Class 3A – premises that prepare and/or cook potentially hazardous foods which are served to guests for immediate consumption at an accommodation getaway premises; or a home based or temporary food premises such as a hired kitchen that makes product such as chutney, relish, salsa or tomato sauce using a hot-fill process.
* Class 3 - premises that handle unpackaged low risk food or high-risk pre-packaged food, warehouses and distributors.
* Class 4 – a premises at which the only food handling activities are one or more of the following:
* The sale of shelf stable pre-packaged low-risk food – for example confectionery.
* The sale of packaged alcohol – for example bottle shops.
* The sale of uncut fruit and vegetables – for example, green grocers and wholesalers.
* Wine tasting (which can include serving low-risk food or cheese).
* The supply of low-risk food, including cut fruit or vegetables to children at children’s education and care services.
* Tasting of low-risk food that is available for sale at the premises in a packaged form e.g. honey.
* The serving of coffee, tea (with or without milk, soy, almond or any other liquid), alcohol (including the addition of sliced fruit, pasteurised dairy products), water, soft drink (except fermented soft drinks containing a live culture) intended for immediate consumption but does not include unpasteurised processed fruit or vegetables (for example, fresh juice) or any drink which has any other potentially hazardous food added, such as unpasteurised egg.

For a full list of class 4 activities go to: <https://www.health.vic.gov.au/food-safety/food-business-classification>

Classes 1, 2, 3 and 3A must register with Council.

Class 4 premises must notify Council (please complete separate form for Class 4 notifications).

Council will contact the applicant to discuss the selected food premises classification and food handling activities when reviewing this application. Fee payment is not required until the food premises classification has been confirmed with an environmental health officer.

**Food Premises Classification**

Class 1  Class 2  Class 3  Class 3A

# Food Safety Supervisor – Class 1, Class 2 & Class 3A Premises

Please provide a copy of the nominated Food Safety Supervisor’s course completion certificate. (Refer to <https://www.health.vic.gov.au/food-safety/food-safety-supervisors> for further information).

Food Safety Supervisor certifications must be renewed at least every 5 years. Certificates with certification dates:

* before 8th December 2023 will have a renewal date of 8th December 2028
* after 8th December 2023 will have a renewal date of 5 years from certification date

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Supervisor Details | First Name |  | Surname |  |
| Email |  | Mobile |  |
| **Qualification Details** | Course Code 1 |  | Course Code 2 |  |
| Certification Date |  | Renewal Date |  |

I have attached a copy of the nominated Food Safety Supervisors course completion certificate

# Food Safety Program – Class 1 & Class 2 Premises

Please see information below on which types of Food Safety Program (FSP) can be used for each premises class. Some Class 2 Premises are currently exempt from the need to have an FSP, and this is based on the premises type and the food activities conducted.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Class 1 Premises | | | | |
| **Premises Type** | **FSP Type** | | **Additional Requirements**  (please check box) | |
| All Class 1 Premises | Non-Standard (Independent) Food Safety Program Only | | I have attached a copy of the Food Safety Program | |
| I have attached an Auditors Statement regarding the adequacy of a food safety program (Form 4) | |
| **Class 2 Premises** | | | | |
| **Premises Type** | **Food Activities** | **FSP Type** | **Additional Requirements**  (please check box) | |
| Manufacturer | All manufacturing activities | Non-Standard (Independent) Food Safety Program Only | I have attached a copy of the Food Safety Program | |
| I have attached an Auditors Statement regarding the adequacy of a food safety program (Form 4) | |
| Food Service & Retailer | Conducting one or more of the high-risk activities listed below  *Go to the FoodSmart website to see what type of Food Safety Program is required for your business.* | FoodSmart | I have confirmed that FoodSmart can be used for my business | |
| Non-Standard (Independent) Food Safety Program | I have attached a copy of the Food Safety Program | |
| I have attached an Auditors Statement regarding the adequacy of a food safety program (Form 4) | |
| Other FSP template (registered by the Secretary of Department of Health) | Name of program: |  |
| Registered template number: |  |
| Not conducting any of the high-risk activities | Exempt from Food Safety Program | I am not conducting any of the listed high-risk activities | |

|  |  |
| --- | --- |
| High Risk Food Activities for Class 2 Premises | |
|  | Sous vide cooking – cooking at less than 75°C where the food is cooked under controlled temperature and time conditions inside vacuum sealed packages in water baths or steam ovens. |
|  | Preparation of potentially hazardous food that does not involve temperature control e.g. sushi, cured meats, aged beef, smoked foods, Chinese style roasted meats. |
|  | Preparation of acidified/fermented food or drinks e.g., sauerkraut, kombucha, century eggs. |
|  | Preparation of ready to eat foods containing raw (unpasteurized) eggs e.g., mayonnaise, chocolate mousse. |
|  | Preparation of ready to eat raw or rare minced/finely chopped red meats eg; steak tartare, rare burger patties |
|  | Preparation of ready to eat raw and rare poultry and game meats eg; rare wild (not farmed) kangaroo fillet |
|  | Offsite catering - ready to eat potentially hazardous food is prepared or partially prepared at one location and transported and served at an event. |
|  | Any other complex food processing activity e.g., pasteurization, modified atmosphere packaging of food. |

# Minimum Records – Class 3 Premises

Warehouse/Distributor – Required to keep minimum records (suppliers records)

All other premises – currently exempt from the requirement to keep supplier records.

# Design fit-out and construction of food premises

* Council suggests contacting your relevant water authority to check if your business requires a trade waste agreement.
* Council may request additional information based upon the nature of the application.
* Design and construction of food premises must be in accordance with Food Standard Australia New Zealand (FSANZ) Food Safety Standard 3.2.2 and 3.2.3 and suitable for the food activities conducted as part of the business. Copies of these standards are available on the [www.foodstandards.gov.au](http://www.foodstandards.gov.au). The Australian standard for design, construction and fit-out of food premises (AS 4674-2004) also provides valuable information for many proprietors in designing their premises.

## Additional Premises Information

|  |  |  |  |
| --- | --- | --- | --- |
| Water Supply | Town/Mains Water | | Private Tank Water |
| **Wastewater Disposal** | Reticulated Sewerage | | Onsite Wastewater (Septic Tank) |
| **Selling Tobacco Products?** | Yes | No | |
| **Primary language spoken at premises** (to assist with communication in future) |  | | |

# Fees & Charges

Fees are calculated when the premises is ready for registration, not from date of application. Fee amounts will change at the beginning of each financial year.

The initial registration period is from the registration date until 31st December. Annual renewal fees apply thereafter.

Information about the online renewal process is sent out via email from October. The due date for payment of renewal fees and the completed application process is 30th November. This is to allow time for payments to clear before the busy holiday period and ensures that businesses are not trading illegally after 31st December.

|  |  |  |  |
| --- | --- | --- | --- |
| **Premises Type** | **Initial Registration Fee for 2024-2025 Financial Year** (GST Exempt) | | **Renewal Fee for 2025** (GST exempt) – Due 30th November |
| **Class 1**– aged care, childcare, hospitals, etc. | January – March:  April – June:  July - September:  \*October - December: | $1,040.00  $780.00  $520.00  $1,214.00 | $696.00 |
| **Class 2** – premises handling potentially hazardous food, temperature sensitive, restaurants, cafes, etc. | January – March:  April – June:  July - September:  \*October - December: | $953.00  $714.80  $476.50  $1,112.50 | $638.00 |
| **Class 2** - Supermarket, large convenience, fast food chain or manufacturer | January – March:  April – June:  July - September:  \*October - December: | $1,345.00  $1,008.80  $672.50  $1,570.00 | $900.00 |
| **Class 3A** – accommodation getaway or home businesses conducting a hot-fill process | January – March:  April – June:  July - September:  \*October - December: | $550.00  $412.50  $275.00  $642.00 | $368.00 |
| **Class 3** – premises handling unpackaged low risk food | January – March:  April – June:  July - September:  \*October - December: | $550.00  $412.50  $275.00  $642.00 | $368.00 |

\*If registration is granted between 1st October and 31st December, the registration will remain in place until 31st December of the following year.

## How to Pay

Shortly after the application is received at Council’s Environmental Health Department, an Environmental Health Officer will contact you to discuss the application and confirm the details. An invoice will then be issued via email.

This invoice must be paid before the registration inspection occurs. How to pay options will be listed on the invoice.

# Declaration

**All Applications**

If the business is owned by a:

* sole trader or a partnership - the proprietor(s) must sign and print name(s).
* company - the applicant on behalf of that body must sign and print their name.

I understand and acknowledge that:

* the information provided in this application is true and complete to the best of my knowledge.
* this application is a legal document and penalties exist for providing false or misleading information.
* I am over 18 years of age at the time of completing this application

Proprietor Name Additional Proprietor Name (Partnership)

Signature Signature

Date Date

# Lodgement

You can lodge your form by doing the following:

**In person:** 20 Siding Ave, Officer

**Post:** PO Box 7, Pakenham 3810

**Email:** [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

Privacy statement

The information gathered in the form is used by Council to process the application. To view Council's privacy policy, either visit Council's offices or go to Council’s privacy statement at [www.cardinia.vic.gov.au/privacy](http://www.cardinia.vic.gov.au/privacy)