

# Approvals for Food Premises



## Approvals required for the construction of new and/or alterations and additions to existing food premises

Fitting out a new food premises or carrying out construction works or modifications in an existing food premises may require approval from Council.

The table below summarises approvals required for new or existing food premises. The approvals required as summarised below may change if the building is a heritage item.

*NOTE: You are advised to make enquiries of Council's Planning and Environmental Health Division regarding any proposed development and/or changes to ensure the appropriate approvals are obtained prior to commencement.*

PROPOSED USE	APPROVAL REQUIRED
Approved new developments with nominated food shop included within consent and approved plans	CC* OC*
Change of use, from shop to food shop	CDC* or DA* OC*
Change of use, takeaway food shop or general shop to dine-in restaurant/cafe	DA* or CDC* (providing use does not contravene existing DA consent, car parking in accordance with existing consent or in accordance with current planning standards, seating capacity not more than 50 persons, complies with AS4674-2004 construction and fit-out of food premises) OC*
Significant internal construction works to an existing food shop (check existing use approved) eg new fit-out, coolroom, mechanical ventilation	CDC* or DA/CC* OC*
New plumbing and/or alterations to drainage works	S68*
Minor refurbishing eg re-painting, updating existing fittings and appliances	not required
Footpath dining on Council owned land (seek Development Services advice that consent exists, and seek advice from Property Officer – Community Land about licensing footpath dining)	refer to Footpath Dining Policy
Signage	refer to Signage Policy
Home based business preparing food for sale online, through outlets, or markets	written permission from Council download Home Based Business Request Form from Council's website

\* see Definitions

## Licensing and registration of food premises

Premises to be used for processing medium and high risk foods - meat, dairy, seafood, plant products, eggs, other medium-high risk food processing or preparing food for high risk populations (eg aged care facilities, correctional services) require licensing by the NSW Food Authority to operate.

Low risk food manufacturers (including home based food businesses) are required to notify their details to NSW Food Authority prior to commencement. This can be completed online at no cost.

Retail food outlets (eg restaurants, cafes, general stores, licensed premises, supermarkets, mobile food, market food stalls as well as childcare and schools) are required to notify Council prior to commencement. This is done by completing an Annual Registration/Inspection form and paying the annual registration/inspection fee.

### \*Definitions

<b>DA: Development Application</b>	A formal request for consent to carry out development
<b>CC: Construction Certificate</b>	An approval that certifies that the proposed works will comply with BCA, AS or other legislation
<b>CDC: Complying Development Certificate</b>	An approval for low risk and low impact developments that do not require a DA and meets the standards specified for that development
<b>S68 Local Government Act</b>	Approval for new or modification to existing plumbing and drainage
<b>OC: Occupation Certificate</b>	A document that certifies a building is constructed in accordance with applicable building codes and other laws, and that it can legally be occupied.

### Further Information

**enquiries regarding approvals, construction and fit-out of food premises, notifying retail food businesses and signage** Council's Planning and Environmental Health Division

Ph 1300 864 444

[www.ballina.nsw.gov.au](http://www.ballina.nsw.gov.au)

**enquiries about food manufacturing and licensing, and to notify details of non-retail food businesses**

NSW Food Authority

Ph 1300 552 406

[www.foodauthority.nsw.gov.au](http://www.foodauthority.nsw.gov.au)

[www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au)

**footpath dining enquiries**

Council's Property Officer, Community Land

Ph 1300 864 444