

# GUIDE FOR FOOD BUSINESS OPERATORS

This guidance document has been designed to provide advice on legislative and Local Government requirements for the setting up of a food business in the Queenstown Lakes District. It also provides guidance for existing food businesses planning to undertake alterations to their business.

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# LEGISLATION

All food businesses will be required to comply with legislations listed below:

- > Food Act 2014
- > Food Regulations 2015
- > Food Notices
- > Activities in a Public Place Bylaw 2016
- > Australia New Zealand Food Standard Code (Code)
- > Building Act 2004
- > Resource Management Act 1991
- > Trade Waste Bylaw 2014
- > Queenstown Lakes District Council (QLDC) Food Grading Bylaw 2016

Please be aware that the above list may not include all of the relevant legislation.

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# COUNCIL REQUIREMENTS

## RESOURCE CONSENTS

Your proposed food business location must comply with the district plan rules or resource consent will be required. If resource consent is required, this must be obtained before constructing and operating your business. If you believe your business will comply with the district plan, you can seek confirmation of this from Council. For more information go to our website or telephone QLDC and talk to the duty planner, or request information by email.

Please also note if resource consent is already in place, then it is the responsibility of the person exercising the resource consent to ensure that they are abiding by the consent conditions

## TRADE WASTE

It is recommended that you contact the QLDC Trade Waste Officer to seek clarification of what may be required, with regards to the QLDC Trade Waste Bylaw. If you have any questions about the process, please contact: Janine Cole.

Email;  
[trade.waste@qldc.govt.nz](mailto:trade.waste@qldc.govt.nz) or phone 03 441 0499

## BUILDING SERVICE

Your food premise must comply with the Building Act 2004. You may also need to obtain a building consent before you start any construction, renovation or 'change of use'. For more information go to the QLDC website or contact a QLDC Building Officer.

You must ensure all relevant building department approvals are obtained prior to commencing structural work. To enable the prompt and efficient processing of your Building Consent, all the relevant plans, specifications, and other paper work should be included. A Council Building Officer can assist with what is required.

## ALCOHOL LICENCES

If you intend to sell and supply alcohol, you need a relevant alcohol licence. Visit our website: [www.qldc.govt.nz/services/alcohol-licensing](http://www.qldc.govt.nz/services/alcohol-licensing) or call to talk to one of our Alcohol Licensing team.

## ENVIRONMENTAL HEALTH SERVICES - THE FOOD ACT 2014

Depending on the the scope of operation and the foods you sell your food business will be allocated to a risk category. The three main risk based categories are Custom Food Control Plan, Template Food Control Plan (FCP) or a National Program (NP). MPI have put together a new tool called 'My Food Rules' which is just a series of questions that you answer to help determine what risk base measures you fall into.

For more information, use the 'My Food Rules' tool at <https://www.mpi.govt.nz/food-safety/food-act-2014/my-food-rules/>

If the outcome of the 'My Food Rules' determines that you are a Custom FCP, this is the highest risk category and you will be required to be registered with MPI and appoint your own auditor

## How do I register my FCP or NP?

1. Complete either the FCP registration or NP application form, depending on which risk based measure you fit into (see previous details). Also ensure you complete the 'Scope of Operations' information included in both forms. The form is a legal document, therefore please complete it accurately. Both application forms can be downloaded from our website:  
[www.qldc.govt.nz/services/environmental-health/](http://www.qldc.govt.nz/services/environmental-health/)
2. Submit the completed application form as per the below 'Form submission and payments' procedures. Submissions of forms can be done online through to [services@qldc.govt.nz](mailto:services@qldc.govt.nz).

Once the invoice has been paid and we have all the details we require your application will be approved and you will be emailed the registration certificate. If we are your verifier this will have on the certificate a P grade (pending) You are required to print and display the certificate in a public place, as required by the QLDC Food Grading Bylaw 2016.

## NATIONAL PROGRAMME (NP)

There are 3 levels of NP's, which are based on the food safety risk of the activities a business undertakes:

- > **Level 3** – higher risk
- > **Level 2** – medium risk
- > **Level 1** – lower risk

Ensure that you have the National Program Guidance documents which will provide the information that you require to help you comply with the Food Act and also help you with your audit. The guidance document can be found at <https://www.mpi.govt.nz/food-safety/food-act-2014/national-programmes/>

All levels of NP when based in our district (there are different registration requirements when you have businesses based in more than one district) are required to be registered with Council. QLDC is a recognised verifier for NP's. You are able to opt to have QLDC as your verifier or you can find and nominate your own verifier. You must advise QLDC of your nominated verifier. *Note* if you choose a third party verifier you will not receive a grade from QLDC.

All recognised NP verifiers can be found via the following links:  
[www.foodsafety.govt.nz/registers-lists/food-act-2014-recognised-agencies/index.html](http://www.foodsafety.govt.nz/registers-lists/food-act-2014-recognised-agencies/index.html) or  
[www.foodsafety.govt.nz/registers-lists/food-act-2014-recognised-persons/index.html](http://www.foodsafety.govt.nz/registers-lists/food-act-2014-recognised-persons/index.html)

## TEMPLATE FOOD CONTROL PLANS

When registering your business under this risk category you are required under the Food Act to use the Template Food Control plan - Simply Safe and Suitable to manage food safety in your business. It is a requirement for a Template Food control plan operator to have the Template Food Control plan - Simply Safe and Suitable. Ensure that you have tailored the plan to your business and are using the plan to manage food safety. The plan tells you what you need to know, do and show.

Once you have received your registration you can open for businesses as per the date on the registration certificate.

The registration fee for FCP's and NP's is \$125.00. FCP's are valid for 12 months and must be re-registered every 12 months with payment of \$125 paid with each registration. NP's are valid for 2 years and must be re-registered every 2 years with payment of \$125 paid with each registration.

All Food Business fees can be found via the following link it is important to also ensure that you are aware of the verification fees as well as the registration fees:  
[www.qldc.govt.nz/services/environmental-health/food-safety-guidelines](http://www.qldc.govt.nz/services/environmental-health/food-safety-guidelines)

# VERIFICATION OF YOUR FOOD BUSINESS

After registration of any new food businesses an Environmental Health Officer (EHO) will schedule your first verification within 6 weeks. The auditor will be basing the verification on the points in the Simply Safe and Suitable as detailed in each section in the "Show" or the points detailed in the National Program Guidance documents also detailed in the "Show"

Please be aware that if Corrective Actions Requests (CAR/s) are found during verification, you will be required to provide details of a Corrective Action Plan including details on how you are going to address each area and you are required to respond to the verifier within the agreed time-frame. A CARs close out visit may also be booked by the EHO. If the CAR/s response is found to not be suitably attended to, a targeted CAR/s completion visit will be performed by the verifier and incur a cost of \$125 per hour.

## NP- OWN APPOINTED VERIFIER

Your appointed verifier will carry out the verification within the required time frame. Please ensure a copy of your verification report is sent Queenstown Lakes District Council.

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## TAKING OVER AN EXISTING FOOD BUSINESS OR CHANGES TO YOUR SCOPE OF OPERATION.

If you are taking over an existing food business please contact us so we can advise on the process.

Please be aware that the previous owner/s is required to formally surrender their FCP to Council or for a National Program advise us of the change.

As the new owner you are required to apply for registration under the appropriate risk based measure.

- > Changes to your scope of operation or adding or removing a site
- > Changes to location or major alterations or other significant change.
- > To notify QLDC of any of the above changes please send an email to [services@qldc.govt.nz](mailto:services@qldc.govt.nz)
- > For more information on this process, head to [www.qldc.govt.nz/services/environmental-health/food-safety-guidelines](http://www.qldc.govt.nz/services/environmental-health/food-safety-guidelines)

Please also be aware, a fee of \$125 per hour will be charged to review and update these changes to your registration.

## MOBILE FOOD BUSINESSES

You need to comply with all of the above requirements including the Food Act 2014 requirements.

You should consider what laws and bylaws may affect the business. You may also need to consider contacting the Transport Authority if you are planning to operate near or on a main highway to ensure what you are planning to do is permitted. .

## CHANGES TO YOUR FOOD BUSINESS

If you undertake any of the following changes to your operation you must notify QLDC as your registration authority:

- > Change in owner company name or trading name.
- > Changes to the contact details

Please be aware, if you plan to operate a pop up stall you must comply with the conditions of the QLDC Activities in Public Places Bylaw 2016. You must register your pop up stall via the registration form in the following link:

[www.qldc.govt.nz/services/permits](http://www.qldc.govt.nz/services/permits)

If you cannot comply with the Activities in a Public Place Bylaw 2016 conditions, you have the following options;

1. Find a privately owned location to lease and operate from, or
2. Contact APL Property who manage all QLDC property to apply for a licence to occupy (email: [Queenstown@aplproperty.co.nz](mailto:Queenstown@aplproperty.co.nz), phone: 03 440 2144), or
3. To operate on QLDC reserves, you need to complete the Venue & Event Enquiry Form and the venues team will contact you regarding your application.

## HOME-BASED BUSINESSES

You still need to comply with all of the above requirements including the Food Act 2014 and trade waste requirements.

You should consider the following during your planning stage:

- > What laws and bylaws affect my business
- > If you are renting the property do you have the landlord's permission to operate a business from the site.

Please be aware that if you are going to start operating a commercial food business from your residential address, a change in use from residential use to mix use is required to be formally documented. Therefore, you are required to inform the QLDC building department of the change, by either emailing [services@qldc.govt.nz](mailto:services@qldc.govt.nz) or in writing to the below postal address. For your information, if a building consent is required please ensure you inform the building department of your change in use from residential to mixed use.

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## FORM SUBMISSION AND PAYMENTS

You can submit and pay for your completed new application, transfer or renewal forms by either of the following methods:

1. Email the completed form and pay the fee via online banking to the QLDC bank account 02 0948 0002000 00. For existing registered food businesses, please ensure you add the QLDC identifying number, which can be found on the registration certificate (QLD000##), in the banking payee reference field to ensure correct allocation of fees. For new food businesses, please add your trading name.
2. You can drop off the application at any of the QLDC offices and pay by cash, cheque, eftpos, MasterCard or Visa.
3. Via the following QLDC website online payments option:  
[https://services.qldc.govt.nz/eProperty/P1/ePay/  
ApplicationPayment.aspx?r=QLDC.WEB.GUEST&f=P1.EPY.APPS.ENQ](https://services.qldc.govt.nz/eProperty/P1/ePay/ApplicationPayment.aspx?r=QLDC.WEB.GUEST&f=P1.EPY.APPS.ENQ)

**If posting your completed new application, transfer or renewal form, include a cheque for the invoiced fee and send to the detailed postal address.**

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# QLDC CONTACT INFORMATION

## POSTAL ADDRESS

Queenstown Lakes District Council Att:  
Environmental Health  
Private Bag 50072  
Queenstown 9348

## OFFICE ADDRESSES

**Queenstown Office**  
10 Gorge Road  
Phone 03 441 0499

**Wanaka Office**  
47 Ardmore street  
Phone 03 443 0024

## EMAIL

[services@qldc.govt.nz](mailto:services@qldc.govt.nz)

## WEBSITE

<https://www.qldc.govt.nz/>

