

New Business



If you are planning on opening a new business, whether it be a business that sells food, provides accommodation, a hairdresser/beauty parlour services, conducts skin penetration activities (ear piercing and tattooing), or operates a caravan park, there is legislation in place that requires the registration of these businesses with Council.

Legislation

Food Act 1984

The Victorian Food Act 1984, along with the Food Standards Code and the Food Safety Standards, covers all businesses that handle, pack, prepare and sell food. Therefore all businesses, regardless of their size, that are involved with food, must be registered, and must comply with the requirements of the above legislation.

You should be aware that the sale of food occurs even when food is given away, an exchange of money is not necessary to define a sale.

Alcohol is also a food. A club, organisation or business that only handles alcohol must also be registered under the Food Act.

Food that is provided in conjunction with another service, such as accommodation, is also covered by the Act. In some cases this will mean that a business must be registered twice, once under the Food Act and once under the Public Health and Wellbeing Act.

When a business operates over more than one site, registration of each and every site is required.

Registration commences on the day that you are approved and issued your certificate of registration. All registrations issued expire on the 31st December each year. An application to renew registration must be submitted before your current registration expires.

All businesses registered under the Food Act are inspected at least once per year, for compliance with the above legislation and the Food Safety Program.

If you intend on opening a new business that involves food, further information is available from Council's Environmental Health Unit.

Public Health and Wellbeing Act 2008

The Victorian Public Health and Wellbeing Act 2008, along with the Public Health and Wellbeing Regulations 2009, apply to all businesses that undertake the following activities:

- Hairdressers
- Beauty Therapy – this includes premises that undertake waxing, beauty treatments and nail treatments.
- Colonic Irrigation
- Skin Penetration – including ear piercing, body piercing and other activity that involves skin penetration.
- Tattooing
- Prescribed Accommodation – includes any premises that provides residential accommodation, hotels, motels, some guesthouses (or B&Bs), hostels, school dormitories, holiday camps and rooming houses.

It is important to note that prescribed accommodation premises which provide accommodation in the course of a person's employment within the above class of accommodation premises are also required to be registered with council.

Any premises in which, other than the family of the proprietor, not more than 5 persons are accommodated, and which is not a rooming house are exempt from registration.

Some businesses, such as those that provide accommodation, may also require registration under the Food Act 1984 for any meals that are provided.

Registration commences on the day that you are approved and issued your certificate of registration. All registrations issued expire on the 31st December each year. An application to renew registration must be submitted before your current registration expires.

All businesses registered under the Public Health and Wellbeing Act are inspected at least once per year, for compliance with the above legislation and any relevant regulations. Standards of Practice are available for each registered activity. These are available from Council or can be found on the Internet at

<http://www.health.vic.gov.au/ideas/regulations/hlthguidelines.htm>

If you intend on opening a new business that involves any of the above activities, further information is available from Council's Environmental Health Unit.

Residential Tenancies Act 1997

The Residential Tenancies Act requires registration of all Caravan Parks.

Many caravan parks also operate a kiosk and as such registration under the Food Act may also be required.

Registration commences on the day that you are approved and issued your certificate of registration. All registrations issued expire on the 31st December each year. An application to renew registration must be submitted before your current registration expires.

If you intend on opening a caravan park, please talk with Council's Environmental Health Officers.

Additional Advice

Any premise that operates a swimming pool/spa, available to the public, is also to meet the requirements under the Public Health and Wellbeing Regulations 2009.

These Regulations govern public swimming pools and spas. The potential for outbreaks of infectious diseases through the use of pools, if not maintained to the standards specified in the Regulations, can be high. The Regulations outlines the minimum requirements to ensure that the pool operates for the benefit of the patrons.

Advice and guidance on pool operation and water treatment for managers and staff is available in the Pool Operator's Handbook which can be found on the Internet at:
<http://www.health.vic.gov.au/environment/water/swimming.htm>

Hard copies are also available from Council's Environmental Health Unit.

Anyone contemplating opening a new business should make contact with the following organisations. They may be able to provide you with additional assistance and let you know if any other approvals, registrations or licences will be required. This list is not exhaustive but may be of assistance.

Within Council

- Statutory Planning –for Town Planning advice
- Building – for any building/fire compliance requirements
- Local Laws – for advice in relation to advertising signs on footpaths and street furniture

- Rates Office – to discuss what rates and charges are likely to apply

Phone: 5261 0600

Other Contacts

- Barwon Water – for advice on water supply and grease traps phone: 5226 2500
- Liquor Licensing Victoria phone: 9655 6696
- Consumer & Business Affairs Victoria phone: 1300 55 81 81
- Specific Industry Associations