

# **BUSINESS PERMIT APPLICATIONS**

---

## **GUIDELINES**

---



## STARTING A NEW BUSINESS OR BUYING AN EXISTING BUSINESS?

These guidelines have been designed to help you navigate the business approval process through Council. They include background information relevant Council Departments and answer frequently asked questions.

### Sections of the guidelines

Not all parts of the guidelines will be relevant to you. Just choose the parts that relate to your individual business:

1 – Applicant details 	For all applicants.
2 – Register a food business 	For businesses and community groups serving food and drink, such as cafes and child care centres.
3 – Register a health/accommodation premises 	For owners of health and accommodation-related businesses.
4 – Register an animal-related business 	For owners of animal-related businesses, such as pet shops and animal breeders.
5 – Footpath trading and activities permit application 	For all commercial activity on the footpath, such as selling goods, using signs or outdoor dining areas.
6 – Application for a planning permit 	For anyone wanting to change the current use of any premises or land, carry out buildings and works, add a large or illuminated sign or change service conditions.
7 – Application for a building permit 	For anyone wanting to build a new premises, renovate a building (including fence lines or permanent structures, such as shade sails) or provide building access to people with disabilities.

### Need help?

Contact us on 8290 1333 if you need help.

If you believe setting up your business may require multiple permits, or if you're new to the permits approvals process, you can request free assistance from our business concierge.

Our business concierge will get your application started by inviting you to meet with specialist team members to discuss your business proposal in detail.



## Frequently asked questions

### What is a primary contact?

If somebody is making an application on behalf of the business owner, such as a planning consultant, builder or food consultant, they are the primary contact.

### What is an ABN?

An ABN is an Australian Business Number. To get an ABN, visit [business.gov.au](https://business.gov.au) and search for '[register for an ABN](#)'.

### I haven't chosen a business name yet. Can I still apply?

Your business trading name will be included on all registrations and permit. If you do not yet have a trading name yet, please write 'to be provided'.

Note that you can register your business name through the Australian Securities and Investments Commission. Search for '[registering a business name](#)' on their website.



## 2 – Information for food business



### Who this applies to?

If you plan to serve food or drinks at a fixed premises. This applies to small business owners, community groups and not-for-profit organisations.

Please be aware that some food businesses are managed by other authorities. These include:

Business type	Where to apply	For more information
Meat, poultry or seafood processing	PrimeSafe	<a href="http://www.primesafe.vic.gov.au">www.primesafe.vic.gov.au</a> 9685 7333
Selling, producing, transporting, storing or preparing mainly dairy	Dairy Food Safety Victoria	<a href="http://www.dairysafe.vic.gov.au">www.dairysafe.vic.gov.au</a> 9810 5900
Mobile food businesses, temporary food stalls, water transport vehicles or food vending machines	Department of Health	<a href="http://streatrader.health.vic.gov.au">streatrader.health.vic.gov.au</a>

If your business is any of the above, please apply directly to the listed authority.

### Is there any further information required?

When you complete your application form, please attach a floorplan of the business premises and label all the relevant fixtures, fittings and equipment that can help us to assess your proposal against food regulations.

### How much does it cost to register a food business?

Food businesses must pay an annual registration fee prior to opening and fees vary depending on the business type. Our team will contact you after you submit your application to give you more detail.

### Frequently asked questions

#### What is a food business class?

The Department of Health and Human Services classifies all food businesses according to their food safety risk – from class 1 premises, which represent the highest risk, down to class 4, low-risk premises.

You will need to understand what food classification your business falls into. For more information about this, go to [www2.health.vic.gov.au](http://www2.health.vic.gov.au) and search for '[food business classification](#)'

#### What is a food safety program?

A written plan that explains what you will do to make sure that the food your business sells is safe to eat. It is only required for Class 1 and 2 food businesses and can be downloaded for free or developed by someone with expertise in this area.

#### What is a food safety supervisor?

Class 1 and 2 food businesses must nominate a food safety supervisor for the business. This person in this role is responsible for recognising, preventing and alleviating hazards associated with food handling.

For more information about the role and the necessary training, please go to [www2.health.vic.gov.au](http://www2.health.vic.gov.au) and search for '[food safety supervisor](#)'.





### What is required of class 3 and 4 businesses?

While class 3 and 4 food businesses do not need a food safety plan or food safety supervisor, some class 3 businesses may need to maintain certain records. If your business falls into this group, we will notify you after assessing your application.

### What are the construction and fit-out requirements for my business?

For further information on the construction and fit-out requirements of your proposed food business, please go to our home page and search for '[start a new food business](#)'.

You can also find more information in Chapter 3 of the Australia New Zealand Food Standards Code by visiting [www.legislation.gov.au/Series/F2008B00577](http://www.legislation.gov.au/Series/F2008B00577)

### How do you classify a community group as it applies to food handling?

For the purposes of food registration, a community group is classified as either:

- (i) a not-for-profit body or
- (ii) an individual or unincorporated group undertaking a food handling activity solely for the purposes of raising funds for charitable purposes, or for a not-for-profit body.

Examples of a community group might include canteens on sporting grounds, fundraising cake stalls, sausage sizzles and school fairs where food and drinks are sold.

If you are a member of a community group and need help to classify your food handling activities, please contact us on 8290 1333.

### Where can I find out more information about starting a food business?

Detail	Information available
Starting a Food Business	<a href="#">Food Business</a>





### Who this applies to?

If you plan to operate any of the following businesses:

Accommodation businesses*	Health businesses
Hotels/motels	Tattooists and body piercing
Rooming houses**	Beauty parlour
Hostels	Body waxing
Student accommodation	Colonic irrigation
Holiday camps	Dry needling/acupuncture
Residential accommodation.	Nail treatments
	Hairdresser

\* For six or more occupants \*\* For four or more occupants

### The following types of accommodation do not need to be registered:

- A house under the exclusive occupation of the occupier; or
- A self-contained flat under the exclusive occupation of the occupier; or
- Any house, building or structure to which part 4 (Caravan Parks and Movable Dwellings Residency Rights and Duties) of the Residential Tenancies act 1997 applies; or
- Any vessel, vehicle, tent or caravan; or
- Premises in which, other than the family of the proprietor, five persons or fewer are accommodated and which is not a rooming house; or
- Public Hospitals or health services establishments (registered); or
- Retirement villages.

### Is there any further information required?

**All health and accommodation businesses:** Please submit a plan of your premises. Accommodation businesses must show the number and size of all the rooms.

**Rooming house operators:** You will require a license from Consumer Affairs Victoria. For more information, go to their website and search for '[rooming house operators](#)'.

**If your accommodation business is located in a building which previously had a different use:** You may need a building and planning permit before you can start operating. Please contact our business concierge on 8290 1333 for further information.

### How much does it cost to register a health or accommodation business?

All health businesses will be charged. This fee covers the costs associated with assessing your application, plus an on-site inspection. Accommodation business fees vary depending on how many people your business will accommodate. Please note that all fees must be paid prior to opening.

### Frequently asked questions

#### Can I operate a mobile health business?

Mobile businesses offering low-risk activities, such as hairdressing, are eligible to register. High-risk activities, such as tattooing, colonic irrigation and body piercing, must be operated from a fixed premises.

#### How do I work out my maximum capacity?



## 3 – Information for health/accommodation premises



Your maximum capacity is determined using the information you provide about the number of rooms and maximum number of guests.

### Where can I find out more information about starting a health or accommodation businesses?

Detail	Information available
Infection Prevention and Control Guidelines for Hair, Beauty & Skin Penetration Industries	Information about infection prevention and control guidelines for hair, beauty and skin penetration industries (search for ' <a href="#">personal care and body art</a> ')
Legislation that guides accommodation business registration in Victoria.	<a href="#">Public Health and Wellbeing Regulations 2009</a>
Consumer Affairs Victoria rooming house information	To find out how to apply for a license to operate a rooming house in Victoria (search for ' <a href="#">rooming house operators</a> ')
Starting an accommodation/rooming house business	<a href="#">Rooming house/Accommodation</a>





## 4 – Information for animal-related business



### Who this applies to?

According to the law, all domestic animal businesses must be registered with the City of Stonnington and comply with the mandatory code of practice relevant to their business. Domestic animal businesses include:

- animal pounds
- breeding businesses (cats and/or dogs)
- training facilities for dogs
- pet shops
- animal (welfare) shelters
- dog and cat rearing premises.

### Is there any further information required?

Your facilities must be inspected prior to your registration. We will contact you to organise a time after we receive your application.

### How much does it cost to register an animal-related business?

New businesses must pay \$275, which includes a one-off fee for processing your application and site inspections prior to opening (up to 2 may be required).

After that, you will be required to renew your registration annually. Renewal forms will be sent in early March and must be completed, and paid for, by April.

### Frequently asked questions

#### How do I know if I need to register as an animal breeding business?

Your businesses is classified as a breeding domestic animal business if:

- A dog training establishment (where the business is run for profit).
- A pet shop (operated in a permanent location that must be open at least 5 days per week).
- An animal shelter (e.g. welfare organisations such as the RSPCA and The Lost Dogs' Home).
- An establishment boarding dogs or cats (where the business is run for profit to provide overnight, day-care or homecare boarding)
- you breed cats and dogs to sell (regardless of whether you make a profit)
- You have 3 or more fertile female cats or dogs and you are not a member of an organisation classified by the Victorian Government as an 'applicable organisation'.

To find out more information about applicable organisations, go to the [Department of Economic Development, Jobs, Transport and Resources](#) website and search for 'Domestic animal businesses'.

If you are a member of an 'applicable organisation', you do not need to register if you have:

- less than 10 fertile female cats and dogs in total and are currently registered with the applicable organisation (no more than 2 can be unregistered).



## 4 – Information for animal-related business



Where can I find out more information about starting a animal-related businesses?

Detail	Information available
For more information about the responsibilities of a domestic animal business  Agricultural Victoria	<a href="#">domestic animal businesses</a>  <a href="http://agriculture.vic.gov.au/pets/domestic-animal-businesses">http://agriculture.vic.gov.au/pets/domestic-animal-businesses</a>



# 5 – Information for footpath trading



## Who this applies to?

Anyone who would like to place items associated with their business on the footpath, such as A-frames, tables and chairs and display goods for sale, must apply for a permit to do so.

You will need to read our [Footpath Trading and Awnings Policy](#) and the [Guidelines](#) before you apply. These can be found by searching our website.

## Is there any further information required?

You must include a plan and a current public liability insurance certificate.

## How much does it cost to apply for a permit?

Costs vary depending on the type of permit you are applying for and more information is available on the application form.

## Frequently asked questions about this form

### Does my tear-drop flag or banner need a permit?

Tear-drop flag or flying banner signs are not permitted on Council land.

### What does my public liability insurance need to cover?

It is essential that you have current and relevant insurance cover. Your public liability insurance must cover a minimum of \$10 million and you will need to provide a copy of the certificate of currency with your application. If you don't have this, please speak to your insurance company directly.

### I would like to put a permanent barrier around my outdoor furniture. Is this covered by the permit?

Placing permanent fencing or barrier structures around your outdoor furniture is not permitted on Council land.

### What about other furniture, like umbrellas and heaters?

The design and placement of all tables, chairs, advertising and additional furniture, such as umbrellas, heaters and pot plants, must be to the satisfaction of our authorised officer and must be maintained in according to the permit conditions.

## Where can I find out more information about footpath trading and activity?

Detail	Information available
Stonnington website for information about the rules governing trade on the footpath.	<a href="#">Footpath Trading and Awnings Policy</a> and the <a href="#">Guidelines</a>



## 6 – Information for a planning permit



### Who this applies to?

A planning permit allows permission for you to use or develop land. Examples of reasons why you might need a planning permit include:

- to change the current use of your land or building
- to carry out buildings and/or works including to increase the internal floor area of a building
- to display an advertising sign
- to change any areas in the business where alcohol can be service, or increase the operating hours or patron numbers
- to increase the operating hours of an existing business
- to reduce the number of parking spaces available.

Please be aware that a planning permit is a legal document that sets out permit conditions and may include a set of plans.

### How much does it cost to apply for a permit?

Planning fees are calculated on the estimated cost of the works. For more information, refer to the [fee schedule](#) or call us on 8290 3329.

### Frequently asked questions

#### What is a copy of title?

A title is your written deed that shows ownership of land. You can obtain a copy of your title online by visiting the [Landata Victoria](#) website. You will need to know the exact address of the property or other land.

Please note, when requesting a copy of title through Landata there will be a fee charged. A copy of a lease is not a sufficient substitute for the title.

#### I want a planning permit, but I'm not the owner of the land. Can I still apply?

The applicant for a planning permit doesn't need to be the owner of the property. However, the owner must be notified of the application as part of the declaration.

#### Who is the owner of the land?

The owner of the land is the person or entity listed as owner on the title. If the applicant is not the owner of the land, the current owner of the land must be notified of the permit application.

#### I want to make some changes to an existing planning permit. Can I do this?

If a planning permit has previously been issued, you can apply to amend the planning permit conditions and/or plans that were endorsed. The final, endorsed plans must match the development you go ahead with.

#### What do I include in the estimated cost of development?

Please provide an estimated cost of the development. It does not include those costs of development not being applied for in this permit application. You may be asked to verify the cost.

## 6 – Information for a planning permit



### **My application is for a minor change. Is there an easier way to get my permit approved?**

[VicSmart](#) is a planning permit process that allows all local councils to assess and make decisions on minor planning permit applications more quickly. VicSmart has a number of advantages, such as:

- a simplified application processing
- no advertising of applications
- information to be submitted is pre-set
- decisions are (generally) made within 10 business days.

Planning applications which may be eligible for VicSmart assessment include:

- minor buildings and works in a heritage overlay (this may include external painting)
- small advertising signs
- reduction of car parking requirements – some developments require several parking spaces, if the number of parking spaces cannot be provided on the site, you may still receive a permit, however you would have to apply for a reduction or waiver of the parking requirements
- constructing a building or works of a smaller scale.

To help work out whether you are eligible for the VicSmart process, call us on 8290 3329.

### **What should I include in the description of the proposal?**

Please describe what you want to do with the land. (e.g. Use of land to sell or consume liquor, advertising signage). It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

### **How do I find out if my property is heritage listed? What does this mean for my application?**

To check if your property is listed with Heritage Victoria, search the [Victorian Heritage Database](#) online.

Heritage properties have certain restrictions on them to protect and preserve the history of the site. Restrictions might affect what you can do to the inside and outside of your business.

### **I want to serve alcohol on my premises. Who do I apply to?**

You must get permission from us, via a planning permit application, prior to seeking a liquor licence from the Victorian Commission for Gambling and Liquor Regulation.

Be aware that you may be asked to define a 'red line area' on your application. This is the area on your site plan where you propose to serve alcohol.

## 6 – Information for a planning permit



### **I'm not sure I have everything I need for my application. Can you help me?**

While insufficient or unclear information may delay your application, there are a few places you can go to get help:

- Our planning team can discuss the specific requirements for this application.
- You can meet with the business concierge, who can organise a joint meeting with the various officers involved in assessing your application. To organise an appointment, contact us on 8290 1333.

# 7 – Information for a building permit



## Who this applies to?

You may require a building permit if:

- you are making any structural changes to the existing building where your business will be located
- you are building a new premises
- you need to make changes to provide access to people with disabilities.

While we can issue permits and provide general advice on whether you need a permit, you also have the option of engaging a private building surveyor to assess your proposed works and issue your building permit.

## How much does it cost to apply for a building permit?

Building permit and inspection fees are based on the total cost of the building works proposed and includes government levies.

## Is there any further information required?

See the [Victorian Building Authority](#) website for detailed information about building permits and their requirements.

## Frequently asked questions

### I would like to improve access to my premises for people with disabilities. Do I need a permit?

To comply with the *Disability Discrimination Act* you may require a building permit if you are making changes to an existing building.

### What is an occupancy permit?

An occupancy permit is a document that signifies that a building surveyor is satisfied that the completed building work and it is ready for use. A building permit will specify whether you require either an occupancy permit or a certificate of final inspection before you move back into the building.

### My proposed building works vary slightly from the building regulations. What should I do?

Sometimes building works will vary to the building regulations. This is called a 'report and consent' and may include these types of works:

- building over an easement or in a flood prone area
- fire safety
- setback from the street
- building above or below public facilities
- siting of a building.

For more information, please see [Report and consent](#) on our website. Note that you may need to get the consent of your neighbours as part of this process.

## 7 – Information for a building permit



### What are essential safety measures?

When building works are complete, the owner and occupant is responsible for upkeep and maintenance of the building and safety features, known as essential safety features. This requirement applies to all 'non-dwelling' buildings and covers items such as smoke alarms, exit doors and signs, fire extinguishers and sprinkler systems.

For more information, go to the Victorian Building Authority website and search for '[essential safety measures](#)'.

### Where can I get more help?

If you need help, please contact us in one of the following ways:

- email [building@stonnington.vic.gov.au](mailto:building@stonnington.vic.gov.au)
- visit us at the Service Centre 311 Glenferrie Road, Malvern (for technical advice)

### Where can I find out more information about applying for a building permit?

Detail	Information available
Victorian Building Authority (VBA)	For detailed information about building permits and their requirements (search for ' <a href="#">building and planning permits</a> ').



